DISARMAMENT

A periodic review by the United Nations

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The United Nations Register of Conventional Arms: Whence? Whither?...and Why?

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The United Nations Register of Conventional Arms: Whence? Whither? ...and Why?

The Register as a Proud Member of a Family of Efforts

Hendrik Wagenmakers

During the past few years political events have moved at breathtaking speed and have altered fundamentally the nature of global security concerns. The old East-West confrontation has withered away, and the threat of global nuclear war has receded. At present the world situation is in a state of flux and full of uncertainties that make it difficult for States to assess and provide for their legitimate security needs.

Hendrik Wagenmakers, Ambassador of the Netherlands to the Conference on Disarmament, served as Chairman of the 1992 Panel of Governmental Technical Experts and is currently Chairman of the United Nations Secretary-General's 1994 Group of Governmental Experts on the Register.

This paper is based on a presentation at a Workshop on the Register held in Monterey, California, in April 1994. The views expressed therein are those of the author and do not necessarily reflect the policy of the Netherlands Government, nor do they bind any member of the United Nations Secretary-General's 1994 Group of Governmental Experts on the Register of Conventional Arms.

A major stabilizing factor in this uncertain world is transparency in matters related to military security.

Background

By the adoption of resolution 46/36 L in 1991, the United Nations General Assembly decided to make openness and transparency in armaments its objectives. [Ed. note: See documentation section in this issue.] The United Nations Register of Conventional Arms is the concrete instrument which will make a major contribution towards achieving that objective. It must be emphasized that the Register is a confidence-building measure (CBM). It is a positive, rather than a negative, response to threat perceptions felt by States. Transparency is not an end in itself, but a means to improve security.

Parallel to the development of the Register, the General Assembly requested that the Geneva Conference on Disarmament (CD) address the question of the interrelated aspects of the excessive and destabilizing accumulation of arms and elaborate universal and non-discriminatory practical means to increase openness and transparency.

Taken together, those efforts go beyond lofty ideas to specific measures that create operational instruments of transparency at the global level. I would like to set out my experience and thoughts on the Register and explain why transparency, which can be described as a new code word for enhanced security for all, is a key concept for executing the arms control and disarmament agenda of the 1990s.

The following remarks are the reflections of an arms control practitioner rather than an academic analysis. However, I trust that they complement the comprehensive intellectual assessments presented in the other articles of this issue of *DISARMAMENT*.

The term "family of efforts" used in the title highlights the fact that the Register was not conceived as a stand-alone project. It is an initial step towards a more comprehensive system of cooperative security. Other family members are: measures by Governments, the United Nations system of reporting on military expenditures, the work of the United Nations Disarmament Commission, the work of the Conference on Disarmament and efforts outside the United Nations system. For details, I refer the reader to a previous paper which appeared in the recent United Nations information booklet entitled *Register of Conventional Arms.*

The present paper first recapitulates the birth of the Register: the "family" trope lingers on!

The second section deals summarily with the first activities of the Secretary-General's 1994 Group of Governmental Experts on the United Nations Register of Conventional Arms.

There follows an outline of the parallel efforts which the CD could undertake in conformity with the request of the Assembly. This paper does not deal with activities undertaken elsewhere, for instance, those of the Disarmament Commission with regard to the prevention of the illicit arms trade. *Stricto sensu,* that subject falls outside the scope of the Register.

Finally I shall reflect on present and future trends and then draw some conclusions.

Birth of the Register

My involvement in the drive for transparency in the international community dates from 1991. The subject "transparency in armaments" (TIA) fell into my lap by chance. The Netherlands held the presidency of the European Twelve during the second half of 1991 when they circulated a draft General Assembly resolution that would have provided for the establishment of a United Nations register of transfers of conventional arms. The European Twelve worked in conjunction with Japan. As Head of the Netherlands delegation to the First Committee of the General Assembly at its forty-sixth session, I was responsible for mustering support for the draft resolution on behalf of the Twelve.

The negotiations between the Twelve plus Japan, on the one hand, and the non-aligned, on the other, about the text of the enabling resolution (resolution 46/36 L) were complex and tortuous. There was no disagreement about the need for the international community to respond to destabilizing accumulations of conventional weapons. The situation in Iraq bore ample witness to that need. As an instrument to realize that objective, the Twelve and Japan had proposed international registration of transfers of seven categories of major conventional weapons with a proven capability for large-scale cross-border offensive action and surprise attack. Their view was that transparency could help to alleviate the concerns of neighbouring States.

The Twelve and Japan were fully aware all along that openness and transparency were not a panacea for all security concerns. They recognized that it remained the sovereign right of States to formulate policies to ensure their legitimate self-defence (Article 51 of the United Nations Charter). While maintaining that a measure of openness (reports to legislatures and other public statements) was essential, the Twelve and Japan admitted that there were limits to openness which might vary depending on the security situation in various regions.

Some non-aligned countries observed that registration of arms transfers would be insufficient to indicate destabilizing accumulations of arms, since it would discriminate against importing States. They argued that a declaration of transfers would give only a partial view of the aggregate military strength of exporting States, while arms-importing

States would reveal not only their imports but also, over time, their holdings. It was, therefore, finally agreed that the scope of the United Nations Register should also cover military holdings and procurement through national production for all participating States.

The task of getting the Register of Conventional Arms up and running was entrusted to the Secretary-General through a representative selection of governmental experts to be invited by him (the 1992 Panel of Experts).

Parallel to the activity in New York, resolution 46/36 L requested that the Conference on Disarmament address the question of the interrelated aspects of the excessive and destabilizing accumulation of arms and elaborate universal and non-discriminatory practical means to increase openness and transparency pertaining to military holdings and procurement through national production.

During the forty-sixth session of the General Assembly a second bone of contention was the desire of certain non-aligned countries to apply the transparency concept to weapons of mass destruction as well as to the transfer of high technology with military applications. The basic idea was that the transparency process would, in due course, yield comprehensive information on military capabilities as well as aggregate military force structures and figures. This was not a matter that could be resolved quickly. The same holds true for the development of means to facilitate the transition from regimes based solely on denial to more cooperative regimes that offer conditional access to high technology with military applications.

In addition to the tasks mentioned earlier, the CD was asked to address the problems of weapons of mass destruction and the transfer of high technology with military applications and to elaborate practical means to increase openness and transparency in those fields, in accordance with existing legal instruments.

The above summary cannot hide the fact that resolution 46/36 L, entitled "Transparency in armaments", on which the General Assembly finally agreed in 1991, would not qualify for a prize in a beauty contest. The division of labour between New York and Geneva could have been brought more sharply into focus. The explanation is that time constraints were significant. The desire not to lose momentum — to have transparency in armaments declared an objective of the General Assembly — prevailed in the end.

Whatever the case may be, the establishment of the United Nations Register of Conventional Arms, a universal and non-discriminatory instrument, is one of the best and most practical things the United Nations has done in recent years in the field of arms control and disarmament. The United Nations is not merely making verbal attempts to prevent unnecessary and destabilizing accumulations of arms; it is setting up practical measures to address such issues.

One of the strong points of the Register is the relative simplicity of its procedures and definitions, notably its one-sheet standardized reporting form. Government-supplied data concerning imports and exports of seven categories of major conventional weapons platforms suitable for large-scale cross-border offensive action and surprise attack can henceforth be the object of bilateral, regional or even interregional consultations. Dangerous misperceptions which fuel fear and mistrust may thus be rectified thanks to transparency. As a result of the dialogue pursuant to the reports made to the Register, nations may feel better able to plan their security requirements on the basis of fuller knowledge and to exercise restraint. Consultative mechanisms may ensue. Regional factors may be integrated into the Register process through existing or new regional structures.

Having described the Register as a major international innovation, I would note that the debate on this process has produced a new use for a word which can henceforth be added to English dictionaries, that is, the word "openness". The term was formerly in use in the meteorological context, meaning "clear skies". It has now appeared in the arms control vocabulary in a similar way in the context of the "Open Skies" Treaty. One may hope that another usage of the word from the seventeenth century, that is, its connotation of "sincerity", might also come back in use,and bring us beyond the mere notion of "transparency".

In 1992 I had the privilege of chairing the Panel of Governmental Technical Experts, which produced a consensus report on the technical procedures and adjustments to the annex of resolution 46/36 L necessary for the effective operation of the Register. (See A/47/342.) The annex to the Panel's report contains the parameters for reporting and the standardized reporting form. The report also contains modalities for its further expansion. Since then, transparency and the Register have become objects of consensus in New York.

Although at present I chair the Secretary-General's 1994 Group of Governmental Experts on the United Nations Register of Conventional Arms, the views expressed here are my own.

From 1992, the Conference on Disarmament has been actively engaged in consideration of the subjects entrusted to it. A number of concrete proposals have been tabled.

First activities of the 1994 Group of Governmental Experts

The Register came into effect in 1992. The returns from Member States on transfers that took place during the calendar year 1992 were made available in the consolidated report of the Secretary-General of October 1993.(See

A/48/344 and Adds. 1 and 2, and Corr. 1.) Early in 1994 the Secretary-General set up a Group of Governmental Experts to review the continuing operation of the Register and to examine its further development. The Group's first session in New York in February 1994 went relatively well. Two more sessions of the Group will follow, in June and July.

Clearly, the Group has already benefited from an element of continuity with the 1992 Panel. There was no desire to stage a general debate. On the first day of the meeting the Group began a review of the Register's performance during its first year. The participants expressed their views frankly and, in particular, gave valuable accounts of their experience with the first year of reporting. Those will form a good basis for the work of the Group.

Consideration of the continuing operation of the Register

In executing their mandate with respect to the continuing *operation* of the Register, the Group first analysed the returns from Member States on transfers that had taken place during the calendar year 1992. The Group deferred any final judgement on that analysis until the reports for 1993 became available. I have outlined below some highlights of the discussion and have offered some ideas for further developments.

The start of the Register's operation is certainly promising, particularly as it appears that the 83 responses covered the vast majority of the arms delivered in calendar year 1992. (As at 1 June 1994, 87 responses had been received.) Still, the importance of wider participation has to be stressed, also in the form of so-called "nil returns", since the Register is a political instrument. Submission of a nil report indicates willingness by a Member State to participate in the transparency drive of the international community.

The 1992 reporting showed some inaccuracies and inconsistencies. In view of the considerable differences among the various national administrative procedures of Member States, that phenomenon does not come as a surprise. In a way those "mismatches" testify to the genuineness of the Register. Of course, no effort should be spared to do away with such "teething problems". It should be noted, however, that we are at an early stage and that Governments are still on a learning curve. Some are engaged in the process of introducing legislation enabling them to collect the data from their civilian industry as well as to refine their procedures following the first year's experience.

Maintaining simplicity seemed to be a goal shared by all. The Government branches that have to collect the information and fill out the standardized reporting forms should be able to do a clear and simple administrative job. The data must be easily accessible both to administrators and to outside users. In particular, some simple procedural fixes might help to make the form even more operational. For instance, a rubric might be included reminding Governments to explain the national criteria used to define when a transfer becomes effective.

Some suggestions were made concerning adjustments to existing categories. They included, for instance, proposals for lowering the ship-tonnage threshold from its present level of 750 tons.

Another suggestion was that information on the operation of the Register be disseminated to those Government branches not directly involved in arms control and disarmament.

With regard to the improvement of the "user-friendliness" of the standardized reporting form, minor technical changes might help. Mathematical accuracy, however, is subordinate to the purpose of the Register as a political instrument. In this regard especially, the Register is different from other types of reporting instruments, such as,the register published by the Stockholm International Peace Research Institute (SIPRI) or *Military Balance,* put out by the International Institute of Strategic Studies (IISS) .

The Centre for Disarmament Affairs of the United Nations Secretariat has recently been strengthened. In trying to prevent inaccuracies and discrepancies from occurring, it seems worthwhile to consider an increased role for the Centre.

The Group of Governmental Experts stands to benefit from the willingness of the Secretariat to issue a preliminary consolidated report on the returns for 1993 as early as practicable to be of use by the Group of Experts during their next two sessions (31 May-10 June and 25 July-5 August 1994).

Further valuable inputs for the work of the Group on the continuing operation of the Register would derive from the provision by Member States to the Secretary-General of their views on the operation of the Register during its first two years, as requested in paragraph 11(*a*) of resolution 46/36 L.

Another important element in the Group's discussion was that of regional differences and concerns. It was noted that the level of participation of States from the Middle East and Africa was low. Our colleagues from those regions helpfully and candidly explained their views. Some points related to:

—The scope of the Register, including consideration of how weapons of mass destruction are being dealt with in the TIA process and elsewhere;

—Links with regional organizations, with a view to using the Register for bilateral, regional or international consultations to address issues of concern;

—The possibility of creating a permanent or semi-permanent consultative mechanism(s);

—The perceived relevance of the arms categories covered by the Register for the particular security concerns of specific regions.

Initiatives on the above-mentioned points could be taken at the regional level. Argentina and Canada have, for instance, taken an initiative concerning consultative mechanisms within the framework of the Organization of American States.

The transparency process stands to benefit if more States provide the additional background information called for in the 1991 General Assembly resolution. Only about thirty States did so last year. An important element of that background information relates to military holdings and procurement from national production. It is also expected that information will be provided on, *inter alia*, defence policy, legislation and administrative procedures with respect to transfers and the prevention of illicit transfers.

In view of the relative paucity of background information submitted to the Register so far, it is difficult to provide, *rebus sic stantibus*, considered views on this issue. The Group might wish to consider the possibility of the voluntary provision by Member States of information on military holdings and procurement through national production in the form of data in a standardized reporting format, as is done at present with transfers.

Consideration also needs to be given to provision of voluntary additional information, particularly whether and how this might be encouraged. For instance, as a complementary confidence-building measure, declarations on the size and organization of armed forces or on the closure or conversion of military production facilities could be devised.

In order to incorporate or consolidate the Register into a cooperative security regime, regular reviews of and consultations on its functioning would be important. That could be done either by another group of governmental experts or by some form of regional or international consultative mechanism. That would not preclude bilateral dialogue between States with concerns. The participation of all parties involved with any issue should be ensured in such consultations.

In preparation and support of those reviews and consultations, important data and information management tasks should be mandated to the Centre for Disarmament Affairs. Even under its present mandate, the Centre could be more proactive in soliciting views of Member States.

Consideration of further development of the Register

Given the very young age of the Register — one might say it is still a toddler — there seems to be little animus to add new equipment categories to it. Using the same metaphor, it seems appropriate to caution against rushing. Priority should be given to consolidation and maintenance of the stability of the Register.

On the other hand, the signs for further *development* of the Register in other respects seem to be encouraging. Depending on how the work progresses, the Group of Governmental Experts might well end up reaching consensus on the expansion of the scope of the Register to include data on military holdings and procurement through national production on the same footing as data on transfers. If this happens, a positive evolution would come about. Technically it is certainly possible. The 1994 Group of Governmental Experts is required to study this aspect and could elaborate the appropriate procedures.

Thus expanded in scope, the Register would have the following composition:

a The total military holdings of a certain State for a certain calendar year;

b The subtotal of arms imports of a certain State for a certain calendar year;

c The subtotal of procurement through national production of a certain State for a certain calendar year;

d The arms exports of a certain State for a certain calendar year, as a separate quantity.

Such expansion would be greatly assisted by increasing the responsibilities of the Secretariat for management of data and information.

The Secretary-General's 1994 Group of Governmental Experts is well aware that it is required to take into account the work of the Conference on Disarmament.

Parallel efforts of the Conference on Disarmament

What should the practical outcome be of the CD's responsibility for transparency in armaments during its 1994 session? In my capacity as Head of the Netherlands delegation to the CD, I have offered a number of ideas.

My suggestions for action are based largely on proposals submitted to the Ad Hoc Committee on Transparency in Armaments in 1993. The CD ought to elaborate those proposals with a view to developing confidence-building measures. New proposals should, of course, be encouraged.

Possible action of the CD with regard to conventional arms control

In the conventional field I should like to draw attention to the following CBMs, which could complement the Register:

a Declarations on the size and organization of armed forces (United Kingdom's proposal);

b Declarations on the closure or conversion of military production facilities (Italian proposal);

c International data exchange on military holdings and procurement through national production (proposals by France, Germany, the Russian Federation and the United States);

d Complementary regional measures to enhance transparency in armaments (Japanese proposal); for instance, regional agreements on visits to military facilities and activities, including overflight regimes;

e Code of conduct to bring about voluntary restraint and responsibility in conventional arms transfers (suggestion by Poland, yet to be elaborated; similar ideas have been brought to the fore by Australia, Ireland, New Zealand, Romania and the United States). As I see it, United Nations Member States might consider authorizing arms transfers contingent upon the agreement of the other contracting party to have the transfer under reference reported to the Register. Criteria can be derived from the sets of guidelines on conventional arms transfers which have already been developed at both the global and regional levels. I am referring to those in the London Declaration of the five permanent members of the Security Council in October 1991 and those adopted by the CSCE Ministerial Meeting in Rome in December 1993.[Ed. Note: See documentation section in this issue for one set of those guidelines.]

f Advance declarations of major military activities (e.g., exercises);

g In addition, I understand, India may elaborate some further ideas on possible CBMs;

h The Netherlands delegation is preparing a proposal on provision of information on armed forces personnel by means of a standardized reporting form.

The CD might take into consideration the experience gained in the European region, under the provisions of the Vienna Document 1992 and of the Treaty on Conventional Armed Forces in Europe (CFE). The agreed Treaty ceilings on heavy weaponry (similar to the first five categories of the Register) led to the destruction or conversion of 17,000 pieces of equipment by the end of 1993. Additional equipment will be destroyed over the coming years. More than 1,000 on-site inspections have taken place, including a considerable number of challenge inspections. The large number of inspections has contributed considerably to transparency in general between former adversaries.

Such experiences are not confined to the European region. For example, the Multinational Force and Observers (MFO) in the Sinai has been carrying out inspections and observation from the ground and air for many years now, with the full cooperation of the States concerned. That has contributed significantly to stability in the region. In other parts of the world, such as Latin America and the Asia-Pacific region, similar steps are being taken. Indeed, much can be said in favour of strengthening links between the United Nations Register and regional organizations, *inter alia,* with a view to encouraging participation in the Register.

Regional approaches become all the more important in a region where the Register's categories are not perceived to be directly relevant to the security of the region. In that vein, it is possible to envisage regional initiatives, agreed to by all the States concerned, for a voluntary exchange of information on categories of weapons perceived as destabilizing in their geographical area of interest. Such declarations need not involve supplier States from outside the region or subregion concerned. These data could be fed into a regional data centre.

Why could not CBMs be developed both worldwide and regionally? It may be feasible to implement certain CBMs at a regional level before recommending them for universal application.

The CD's Ad Hoc Committee on Transparency in Armaments can do valuable work on the grave problem posed by the present-day misuse of anti-personnel land mines. That question has both political and humanitarian dimensions, and warrants the attention of the multilateral arms control community. We are all aware of recent initiatives embodied in resolutions adopted by the General Assembly at its forty-eighth session, in 1993.

Further efforts are being made in preparation for the forthcoming conference to review the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (the so-called inhumane weapons Convention). Recently a Group of Governmental Experts discussed this issue when they met in Geneva to prepare the review of the operation of the Convention. [Ed. note: The Group of Experts met from 16 to 27 May this year and will meet again from 8 to 19 August 1994, also in Geneva.] The review will probably take place in September 1995. This issue is taking the highest priority in the current work of the Group of Governmental Experts as they prepare the review conference of the 1980 Convention. It has also been brought to the attention of the Conference on Disarmament and the 1994 Group of Governmental Experts on the Register. In the course of all this activity, there is a danger that well-intended efforts will suffer from fragmentation and lack of focus.

It seems to me that the primary action to be taken on this issue is to improve the implementation of existing international law and, equally important, to amend that law where needed. Transparency may also play a role in alleviating the problem, but it is not clear that the Register is the right instrument. Without prejudice to the ultimate forum to be chosen, the various forums engaged with the issue should at least work towards a common view on the best approach to take.

Possible action by the CD with regard to weapons of mass destruction and the transfer of high technology with military applications

The CD's mandate includes the elaboration of universal and non-discriminatory practical means to increase openness and transparency related to weapons of mass destruction, in accordance with existing legal instruments. Discussions in the CD on this contentious issue are still in a preliminary phase. It seems useful to make a distinction here between transfers, on the one hand, and holdings and procurement, on the other. As to transfers, I underline that after the entry into force of the chemical weapons Convention—expected in about a year's time—there will exist a set of complementary international agreements prohibiting the transfer of any weapon of mass destruction. As for holdings and procurement of nuclear weapons and other nuclear explosive devices, the nuclear non-proliferation Treaty legitimizes the existence of five nuclear-weapon States. All other holdings and procurement of nuclear weapons are prohibited by international law. The 1925 Geneva Protocol, the chemical weapons Convention (CWC) and the biological and toxin weapons Convention (BWC) prohibit any development, possession, production and use of chemical and biological weapons. Thus, the basic assignment of the CD seems to be to see that the transparency process, in due course, yields comprehensive data on overall military capabilities as well as on aggregate military force structures. That will certainly be a long-term process.

It should not be forgotten, though, that a good deal of information on nuclear holdings is already in the public domain. The START Treaties, once ratified, represent a signal achievement by the States concerned. Their implementation will require a great deal of transparency, some of which is already apparent. For instance, the full texts of treaties like START I and START II are issued as documents of the CD, and are thus widely disseminated.[1] On the basis of specific counting rules, those texts provide information on the size of the strategic nuclear arsenals of the two States concerned. Of course, START data as such are not intended to address the question of total stockpile numbers.

Important support for progress in the field of transparency may be derived from near-universal adherence to the NPT and the related IAEA safeguards system. Regional arrangements, like the EURATOM Treaty and zones free of nuclear weapons or nuclear-free zones, such as those established by the recently reinforced Treaty of Tlatelolco and the Rarotonga Treaty, are further invaluable mechanisms conducive to a general environment of cooperative security and trust. Mention should also be made of the accord on nuclear inspections of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC).[2]

The same holds true, *mutatis mutandis*, for the brand-new CWC, with its innovative verification provisions. The time is now ripe to capitalize on what has already been achieved. In that regard I salute respectfully the Mendoza Agreement[3] committing Argentina, Brazil and Chile to allow inspections before the CWC's entry into force.

As additional practical means to increase openness and transparency in nuclear matters, the Conference on Disarmament could consider:

a Designing confidence-building measures under which nuclear-weapon States might voluntarily supply more information on their nuclear arms holdings and the scale of the reductions of those holdings. Argentina has proposed the establishment of a register which would cover information on the implementation of the relevant provisions of treaties concerning weapons of mass destruction, the so-called log-book proposal;

b Designing instruments by which States would follow a policy of transparency with regard to plutonium stocks. Such policies could ease the future elaboration of a fissile materials cut-off treaty and would be another step towards nuclear disarmament, as required by article VI of the NPT;

c Recommending advance notification of major military manoeuvres involving nuclear arms.

Resolution 46/36 L further requests that the CD address the issue of *transfers of high technology with military applications*. Obviously, universal adherence to and compliance with effectively verifiable non-proliferation agreements facilitates a dialogue between suppliers and recipients of dual-use technology. It should be recalled that technology is not weaponry; at best it is a potential weapon.

That fact notwithstanding, the CD has to address the issue as requested by resolution 46/36 L and, in that regard, can profit from the ongoing work of the Disarmament Commission in New York.

On substance, the point is often made that policies based solely on denial are not sustainable in the long run. No doubt CD delegations can agree that restrictions on transfers of technology are not intended to prevent all such transfers nor to maintain discriminatory control of technology. Rather, while elaborating the practical means requested by the General Assembly, the CD may agree that export controls are a necessary complement to international agreements prohibiting transfers or the acquisition of weapons of mass destruction. States that abide by their international commitments should have no reason to worry about export control regimes.

Here the concept of transparency comes into play as one of the devices that can facilitate the possible transition from denial to conditioned access. I stress, however, my deep conviction that self-denial and restraint will, in the long run, be the only way to put into practice an international exchange of technology for all States, with a view to increasing their development and with due respect for the requirement of non-proliferation and commercial proprietary rights.

Reflections on present and future trends

With the data on present-day arms transfers revealing some rather troubling trends in our post-cold war world, one is at times tempted to feel some nostalgia for the "good old cold war" with its clear, bipolar, quasi-Manichean divide. This is, of course, a fallacy.

On a personal note, I confess that, in relation to the Register, I was intrigued by the possible applicability of the maxim that generals tend to prepare themselves to fight the last war, while technological and military developments continue their relentless advance. It is my conviction that the Register does more than alleviate concerns about the last war's weapons. As far as the future is concerned, the Register will reveal, over time, the patterns of acquisition of weapons in an open and transparent way.

Again on a personal note, I would welcome an exchange of views on the significance for the Register of force multipliers. In this context, one cannot help thinking of "smart" weapons. I refer to the so-called concept of "cyber-war", that is, the targeting of information systems in the modern war-machine. This novel aspect of future warfare implies the preparation and conduct of military operations according to information-related principles. Its techniques include destroying enemy information and communications systems.

I am aware, of course, that addressing command, control and communication systems would introduce major problems of definition, even if the category was restricted to the larger field formation systems. Unfortunate complications for the Register might result. Modification programmes would be similarly complicated.

On balance, it seems that those issues are best dealt with in the framework of a regional agreement, such as in the Vienna Document, rather than in a global confidence-building measure.

Conclusion

Among the family of efforts undertaken to promote transparency in armaments, the United Nations Register of Conventional Arms stands out as a proud member. Its main structure — a relatively simple one — has met with consensus support. Some minor procedural fixes may have to be applied. Inaccuracies and inconsistencies that have occurred seem not to be of major importance; rather, they testify to the Register's genuineness.

The expansion of the Register's scope to cover military holdings and procurement through national production will enhance the relevance of the Register as a confidence-building measure geared to improving security. As a result, States will feel better able to exercise responsibility and self-restraint.

After a promising start, wider participation, including submissions of nil returns, should be encouraged. Some institutionalization of consultation mechanisms, including the use of existing regional organizations, may be recommended. Future reviews of the Register are certainly warranted. The role of the United Nations Centre for Disarmament Affairs has to be further strengthened in terms of data and information management.

Any comprehensive study of the further development of the Register must take into account the work of the Conference on Disarmament which, I believe, should produce meaningful complementary initiatives and results. The ideas I have outlined are intended to enhance that work.

Transparency in armaments brings cooperative security within arm's reach. It integrates arms control and international security in a unique way. At the national level, it holds out the prospect of reallocation of scarce socio-economic resources without detriment to security. A secure environment is conducive to investment and economic development. Most of all, transparency can form the basis of a cooperative dialogue on security concerns between countries in different regions of the world. Such a dialogue would transcend supplier regimes and complement existing international security treaties and agreements.

Transparency is a process that has a clearly defined pattern of further growth. A "family of efforts" consisting of formal and informal approaches, within and outside the United Nations system, at international, regional, and subregional levels, is well under way to execute a new and challenging security agenda.

Notes

1. The text of START I was circulated as document CD/1192 and the text of START II was circulated as document CD/1194. In addition, the text of the Lisbon Protocol to START I was circulated as document CD/1193.
2. The text of the agreement between Argentina and Brazil was circulated as a document of the CD (CD/1117).
3. The text of the agreement between Argentina, Brazil and Chile was circulated as a document of the United Nations (A/46/463, annex) and of the Conference on Disarmament (CD/1126).

The Conference on Disarmament and Transparency in Armaments: 1992 and 1993 (with a short postscript for 1994)

Mounir Zahran

Almost 50 years after it was founded, the United Nations has once again demonstrated its serious concern over the complex and at times Byzantine trade in conventional arms. But if regulating arms exports and imports in the framework of the United Nations is to avoid the pitfalls of the annual *Statistical Yearbook* published by the League of Nations from 1925 to 1938, which recorded arms imports and exports based on official national statistics, it will have to cover all arms categories and sales and have universal participation.

The process of consideration of the issue of transparency in armaments, in which the United Nations and the Conference on Disarmament are now engaged, began with the request by the General Assembly to the Secretary-General of

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the United Nations to undertake in 1988 a study on the means to promote transparency in conventional armaments, the first United Nations study specifically devoted to the issue.[1] That study was prepared even as the growing production capacities and surplus equipment in industrialized States were progressively feeding arms markets in different parts of the developing world. The Secretary-General noted in 1992 that arms transfers rose from $14 billion per year in the early 1960s to about $50 billion in 1988 (measured in 1988 constant US dollars).[2]

One of the practical recommendations emanating from that report was the creation of a universal and non-discriminatory register of arms transfers under the auspices of the United Nations, which should include arms suppliers and recipients and should be implemented so as to allow for standardized and comparable input from all States.

The subject of conventional arms transfers was ripe for consideration in an international setting because of the changes in international relations consequent to the end of the cold war. The alarming crisis of the 1990-1991 Gulf War brought into sharper focus the question of the accumulation of arms in certain countries and regions and its repercussions on both regional and international peace and security. The issue of "transparency in armaments" took on even more urgency, and States began to generate initiatives and proposals to try to control the proliferation of conventional weapons.

The United Nations Disarmament Commission, after considering for three years the issue of "Objective information on military matters", adopted in 1992 guidelines and recommendations stating, *inter alia,* that openness and transparency in military matters could build confidence, enhance mutual trust, remove misperceptions, contribute to the relaxation of tension and promote specific disarmament agreements and other concrete disarmament measures.[3]

In 1992, resolution 46/36 L, entitled "Transparency in armaments", was adopted by the General Assembly, establishing a universal and non-discriminatory register of conventional arms. [Ed. note: See documentation section in this issue.] Egypt had already affirmed that confidence-building measures in the field of conventional weaponry could come about only in an appropriate political climate and within the framework of an integrated process to reduce tensions at the regional level.

Mandate of the Conference on Disarmament on "Transparency in Armaments"

In order to meet the concerns of many States that the Register, as originally designed, needed to be expanded, the General Assembly, in the same resolution that established the Register, requested that the Conference on Disarmament deal with the issue of transparency in armaments in the specific terms outlined in operative paragraphs 12 to 15 of that resolution.

During its 1992 session, the Conference appointed the representative of Egypt as Special Coordinator to undertake informal consultations among members of the Conference to deal with all aspects of that issue, including the possibility of establishing an ad hoc committee on transparency in armaments. Shortly thereafter, the Conference decided to inscribe the item "Transparency in armaments" on its agenda and to hold a series of informal meetings. It decided also to use the language contained in General Assembly resolution 46/36 L to guide its work. Thus the Conference decided to address:

a The question of the interrelated aspects of the excessive and destabilizing accumulation of arms, including military holdings and procurement through national production;

b The elaboration of universal and non-discriminatory practical means to increase openness and transparency in that field; and

c The problems of, and the elaboration of practical means to increase, openness and transparency related to the transfer of high technology with military applications and to weapons of mass destruction, in accordance with existing legal instruments.

Furthermore, the Conference decided to include in its 1992 report to the General Assembly a section covering its work on the agenda item. The Secretary-General was asked by the General Assembly to provide the Conference with all relevant information on the item, including views submitted to him by Member States, information provided under the United Nations system for the standardized reporting of military expenditures, and on the work of the Disarmament Commission under its agenda item entitled "Objective information on military matters". In addition, the Conference noted the request of the General Assembly to the Secretary-General to take into account in his preparation of a report in 1994 the views expressed during the consideration of the item in the Conference on the continuing operation of the Register and its further development.[4]

The inscription of the item "Transparency in armaments" on its agenda and the adoption of a mandate to guide its work was an important milestone for the Conference. It was significant because the Conference responded with flexibility to the wishes of the international community as expressed in General Assembly resolution 46/36 L. The Conference on Disarmament, as the sole multilateral disarmament negotiating organ, is now in step with the general trend in which openness and transparency act as confidence-building measures in the field of international security and disarmament, a trend that has been growing not only on the multilateral level but on the bilateral and regional levels as well. It should be noted here that the Conference took on this new responsibility at a time when it was debating its future role and tasks, especially in the light of the completion of negotiations on the chemical weapons convention at the end of 1992.

The report of the Special Coordinator on the issue of transparency in armaments was included in the 1992 report of the Conference to the forty-seventh session of the General Assembly.[5]

During the five informal meetings devoted to the subject, the Conference held what could be described as a preliminary exchange of views that dealt with:

a Organizational issues, such as an examination of the role of the Conference in the matter;

b Concepts of transparency in armaments; and

c A listing, with no attempt at agreement on any of the items, of all the various aspects raised under the main subjects assigned for consideration by the informal meetings.

The informal meetings could be said to have laid the groundwork for a fuller consideration in 1993 of the many aspects of transparency in armaments. In acknowledgement of the importance which members of the Conference attached to the item, the Conference agreed that the organizational framework for dealing with transparency in armaments should be taken up immediately at the beginning of the 1993 session.

In December 1992, the General Assembly adopted resolution 47/52 L, in which it encouraged the Conference to continue the work it had undertaken in response to resolution 46/36 L. At the beginning of its 1993 session, the Conference agreed to establish an Ad Hoc Committee on Transparency in Armaments. It gave the newly-formed Committee the same mandate as was used for the informal meetings in 1992 and derived a programme of work based on the mandate and on resolution 47/52 L. The representative of Egypt was appointed to chair the Committee. Below are some of the highlights of the Committee's work in 1993.

Transparency in armaments – general trends

There was a general agreement among members of the Conference that an increased level of openness and transparency in the field of armaments might enhance trust and confidence among countries, and could help to ease tensions and conflicts, promote stability and strengthen regional and international peace and security. Nevertheless, it was underlined that transparency was not an end in itself, nor was it to be pursued for its own sake. There was also agreement that transparency could contribute to restraint in production and transfers of arms and could encourage countries to refrain from seeking to attain levels of armaments exceeding their legitimate security requirements, due account being taken of the inherent right of individual and collective self-defence as provided for in Article 51 of the United Nations Charter. It was felt that transparency, coupled with restraint and responsible policies in arms transfers, increased confidence among countries and could enhance security and stability in the world. A gradual approach to transparency in armaments was advocated in order to contribute to confidence-building and security among nations.

A large number of Conference members stressed that universal reporting to the Register was important as a confidence-building measure and would be helpful in identifying irresponsible and destabilizing arms transfers. They considered the United Nations initiative on transparency in armaments, contained in resolution 46/36 L, an important international instrument for transparency.

An inconclusive discussion was held on the time-frame and scope of the work of the Conference, as requested by the General Assembly in resolution 46/36 L, and on the relationship between the work of the Ad Hoc Committee and the further expansion of the Register. Those discussions have continued into the 1994 session. (See short postscript.)

Several countries also highlighted in general the importance of avoiding duplication, or even multiplication, of independent mechanisms in the field of transparency in armaments and also stressed that in order for the Ad Hoc Committee to advance in its work, the terms commonly used in the field needed to be defined.

I believe that in any general discussion of the concept of arms transfers it is important to mention that an insidious obstacle to transparency and effective global control over conventional arms transfers is the lack of effective control over illicit arms trading. Similarly, arms trading by private international arms dealers should be subject to more strict regulation. The Conference did not take up the consideration of illicit arms transfers in depth, as views differed widely on how exactly the Conference could promote transparency in that aspect of the arms trade, a field which by its nature was not transparent.

Excessive and destabilizing accumulation of arms

The question of how to define the concept "excessive and destabilizing accumulation of arms" generated considerable discussion in the Ad Hoc Committee. It was clear to some that for progress to be achieved on this particular aspect of the debate, one issue that had to be resolved was the need to develop terminology in order to qualify or quantify what would make up an excessive or destabilizing accumulation of arms in a certain country.

For its part, Egypt expressed the opinion that the defensive needs of each country must be taken into account within its regional context when considering the criteria of what constituted an "excessive and destabilizing accumulation of arms". Egypt also felt that weapons of mass destruction were by their nature both excessive and destabilizing, and raised the question of whether excessive accumulations were always destabilizing or whether they could be destabilizing without being excessive.

Another view held that, although there was no definition of legitimate military power or of what constituted an excessive and destabilizing accumulation of armaments, Articles 2 and 51 of the United Nations Charter allowed for the proportionate use of armed force for defensive purposes. It was suggested that the London Guidelines for conventional arms transfers,[6] adopted in October 1991, were a good starting-point for building international consensus on common principles regarding what were good or bad arms transfers. It was also suggested that the Treaty on Conventional Armed Forces in Europe be used as a reference in this regard.

It was felt by some delegations that although it was difficult to arrive at commonly agreed definitions, it was still possible to establish standards by using indices such as the percentage of annual gross national product (GNP) devoted to military expenditure; military expenditure in terms of per unit area of a country's territory; number of soldiers per unit area of the territory, per capita annual military expenditure; and annual military cost for each soldier. Such indices, although not exhaustive, could help to indicate excessive accumulations of arms without being detrimental to any country's security interests. Not all delegations viewed such indices favourably, and other ideas were put forward, such as adding to the Register reporting on military holdings and procurement through national production, adding more categories of weapons to those already being reported on lowering the tonnage threshold for warships and giving a list and description of known types of weapons for countries to use in categorizing their weapons.

Military holdings and procurement through national production

A number of working papers were presented and a great deal of discussion took place on that issue in the Ad Hoc Committee in 1993. In order to combat the excessive and destablizing accumulation of armaments as a threat to national, regional and international peace and security, it was considered helpful to highlight the issue of military holdings and procurement through national production. Indeed, it was suggested that the key to the expansion of the Register lay in reporting on those very items. It was felt that the addition of that type of information would go along way towards ensuring equal treatment between countries dependent on importing foreign arms and those whose arms requirements were met from indigenous production.

For its part, Egypt underlined the need to reach a common understanding on the meaning of the terms "procurement" and "national production" in order to avoid potential misunderstandings in the future.

Two proposals were put forward, one by the United States and the other by France, suggesting the establishment of an international data exchange of seven major categories of military holdings and procurement through national production.[7] Together with the proposals, those two countries also presented definitions of the terms "military holdings" and "procurement through national production", and the Russian Federation presented its definition of the terms as well.[8] At the same time, there was some concern expressed that substantive discussions in the Ad Hoc Committee on the proposals could prejudice the work and the conclusions of the 1994 Group of Governmental Experts. While many countries supported the proposals, others were not in a position to do so. They stressed that the Register was a voluntary exercise, and that the nature of the exercise would remain the same for an expanded Register or for any other system of reporting.

Reporting on armed forces personnel

A number of delegations in the Ad Hoc Committee were of the view that one of the most important interrelated aspects of the excessive and destabilizing accumulation of arms was information on armed forces personnel. The United Kingdom presented a working paper entitled "Annual declaration of the size and organization of armed forces".[9] The proposal consisted of a simple annual declaration of the numbers of military personnel and an outline of their organization. It was felt that an exchange of such information was one among many potential complementary measures that could help United Nations Member States to compose a picture of how they met their legitimate defence requirements without generating mistrust and suspicion. A discussion was held on that proposal, which received support from some delegations, while other delegations felt that consideration of the item was outside the purview of the Ad Hoc Committee. Still others argued that an exchange of information on armed forces personnel would give undue advantage to certain countries and compromise the security of others.

"Non-discrimination" and "universality"

Japan submitted a proposal which analysed the question of how to achieve "non-discrimination" and "universality" and the relation between those two concepts.[10] A group of other countries agreed that the concepts of non–discrimination and universality were relevant to the work of the

Ad Hoc Committee's work, which must be approached in such a way as to discriminate neither among countries nor among categories and types of arms.

A discussion was also held and a paper presented by the Islamic Republic of Iran, stressing the importance of the regional approach to the question of transparency in armaments.[11]

Italy submitted a paper suggesting that declarations be exchanged on the closure or reconversion to peaceful purposes of plants which had previously engaged in military production.[12]

Arms transfers and transfers of high technology with military applications

A discussion was held and suggestions were put forward by Argentina, France and Italy on comparing, sharing and pooling information on national legislation controlling exports, imports and transit of weapons materials and products of advanced technology with military applications. In general, it was considered essential to facilitate a dialogue between suppliers and recipients of dual-use technology and to create a better understanding of ways to improve transfers of high technology with military applications. In that connection, a number of countries, from different continents, suggested establishing agreed guidelines to serve as an international code of conduct to help control arms transfers and the activities of weapons suppliers, in accordance with universally applicable rules and standards. The United States made an expert presentation on export controls and presented a paper on its arms exports system.[13]

Reference was made to the Final Document of the Jakarta Summit of the Non-Aligned Countries, which stated in paragraph 51 that growing restraints being placed on access to technology by developed countries, through the imposition of ad hoc control regimes under the pretext of non–proliferation regimes, impeded the economic and social development of the developing countries. It was suggested that the restrictions set by the Missile Technology Control Regime (MTCR), the Nuclear Suppliers Group (NSG), and the Australia Group lacked transparency, and thus should be eliminated as long as the users of such technology were not involved in their deliberations. However, several developed countries contended that export controls were a necessary complement to international agreements prohibiting transfers or acquisition of weapons of mass destruction and were designed to implement such commitments. Export controls were thus assisting in the prevention of the proliferation of these arms and were in no way intended to prevent the transfer of technology for development.

Weapons of mass destruction

Argentina proposed a supplementary register for the comparison of information obtained from the implementation of relevant treaties and agreements concerning weapons of mass destruction.[14] The proposal was aimed at providing the international community with an official source of information on the actual situation concerning weapons of mass destruction, subject to the terms of relevant agreements. A group of eleven developing countries supported the proposal, while the United States found it discriminatory, as it covered only data on Russian and United States nuclear armaments. Some developed countries thought that, due to the specificity of weapons of mass destruction and the international agreements applicable to them, differentiated measures of transparency should be sought for those arms. They also pointed out the fact that global instruments prohibiting the transfer or acquisition of weapons of mass destruction were already in place and that they considered that the international community should continue to seek universal adherence to those instruments. In this connection, Egypt reiterated that, pending the full implementation of the provisions of all global instruments relating to weapons of mass destruction, transparency in the field of weapons of mass destruction should be ensured.

Conclusion

While transparency in armaments is considered a means to foment confidence, there is sympathy with the view that too much transparency may be a hazard to the national security concerns of some States. That is a legitimate concern which warrants caution and attention if we are to reach an acceptable and practical balance between the goal of transparency and the legitimate right of States to protect their national security. However, such concerns should not be used to exclude certain categories of arms from the transparency exercise. Such an exercise must be universal and non-discriminatory. There should be no discrimination against States nor amongst categories and types of arms.

Transparency is not a substitute for reductions in arms, but, when properly applied, it can be conducive to confidence-building among States and helpful in alerting the global community to an excessive accumulation of armaments. Thus, it could serve as a useful tool in facilitating non-proliferation efforts. Openness and transparency can also be useful as an early warning instrument in the framework of preventive diplomacy, one of the four areas for action by the international community that the Secretary-General has examined in his report *An Agenda for Peace*.[15]

The work of the informal meetings in 1992 and the first session of the Ad Hoc Committee on Transparency in Armaments in 1993 covered a great deal of new ground. A broad exchange of views took place and raised a number of issues that need further development. Many suggestions and eighteen working papers were presented on a wide variety of topics, several containing concrete proposals for practical measures to increase openness and transparency. Although agreement has not been reached on those proposals, the discussions on them were useful in bringing to light aspects for future consideration. Such consideration in and of itself forms a part of the process of promoting trust, building confidence and resolving conflicts

As mentioned earlier, the work of the Conference on Disarmament on transparency in armaments during its sessions of 1992 and 1993 will be taken into consideration by the 1994 Group of Governmental Experts on the continuing operation of the Register and its further development. It is our earnest hope that the expert group report will contain recommendations for the expansion of the Register to include stockpiles and national production and to cover conventional as well as non-conventional categories of arms, i.e., weapons of mass destruction, together with transfers of technology with military applications. Such an expanded Register will create more confidence among States. It will reflect the real military might of all States and can serve as an early warning mechanism to alert the international community to an excessive and destabilizing accumulation of arms which may threaten international peace and security.

Finally, illicit arms trafficking is another serious issue which triggered the attention of the General Assembly. Several resolutions were adopted by the United Nations regarding that phenomenon, with a view to putting an end to this destabilizing traffic. Illicit arms trafficking contributes to organized crime across international boundaries, to the spread of international terrorism and to drug trafficking. Though illegal arms trading is not covered by the Register, the international community should face that problem squarely in order to put an end to it. Otherwise, the Register and other efforts at openness and transparency may come undone, and the purpose of the Register, to alert the international community to the excessive and destablizing accumulation of arms in various countries and regions of the world, will be foiled.

Short Postscript on 1994

In accordance with the recommendations contained in paragraph 29 of the report of the Conference on Disarmament to the 48th session of the General Assembly and in resolution 48/75 E, at the outset of the 1994 session of the CD, the Ad Hoc Committee on Transparency in Armaments was re-established with the same mandate as in the 1993 session, under the chairmanship of Ambassador György Boytha of Hungary.

Though no conclusions can yet be drawn from the work of the Ad Hoc Committee in 1994, fundamentally differing approaches towards the issue of transparency in armaments continue to exist. While certain States wish to limit the exercise of transparency to certain categories of conventional arms, others view the matter in a more comprehensive manner. While some wish to deal with selected "interrelated aspects" of the question, such as the issue of the size and organization of armed forces, others feel that it would be better to exhaust the issues that the CD was explicitly requested to deal with in resolution 46/36 L before dealing with others . In that respect, Egypt noted that before looking at any specific "interrelated aspect", one should draw up a list of all such aspects and then deal with each in an orderly manner.

Another continuing debate in the Ad Hoc Committee in 1994 concerns the scope and time-frame of its work on this item, and that debate is likely to be pursued throughout the 1994 session.

Notes

1 *Study on the Ways and Means of Promoting Transparency in Iinternational Transfers of Conventional Arms* (A/46/301, annex) (United Nations publication, Sales No. E.93.IX.6).

2 *New Dimensions of Arms Regulation and Disarmament in the Post–Cold War Era*, Report of the Secretary-General (A/C.1/47/7) (United Nations publication, Sales No. E.93.IX.8), para 30.

3 *Official Records of the General Assembly, Forth-seventh Session, Supplement No. 42* (A/47/42), paras. 12 and 26.

4 Document CD/1150 of 26 May 1992.

5 *Official Records of the General Assembly, Forth-seventh Session, Supplement No. 27* (A/47/27), paras. 102-105.

6 Closing Communiqué of the Meeting of the Five on Arms Transfers and Non-Proliferation, London, 17-18 October 1991, reproduced in *DISARMAMENT: A Periodic Review by the United Nations*, vol. XV, No. 1, 1992.

7 Respectively, documents CD/TIA/WP.4 of 18 May 1993 and CD/TIA/WP.9 of 10 June 1993.

8 Respectively, documents CD/TIA/WP. 6 of 8 June 1993, CD/TIA/WP. 8 of 10 July 1993 and CD/TIA/WP.18 of 18 August 1993.

9 Document CD/TIA/WP. 5 of 7 June 1993.

10 Document CD/TIA/WP. 7 of 10 June 1993.

11 Document CD/TIA/WP. 15 of 13 August 1993.

12 Document CD/TIA/WP. 17 and Corr. 1 of 16 August 1993.

13 Document CD/1206-CD/TIA/WP. 11 of 20 July 1993 and CD/1207-CD/TIA/WP. 12 of 20 July 1993.

14 Document CD/TIA/WP. 14 of 3 August 1993.

15 Document A/47/277–S/24111 of 17 June 1992. The report was also issued as a United Nations publication under the symbol DPI/1247.

The Register: Its Philosophy and First-Year Experience

Edward J. Laurance and Herbert Wulf

The establishment of the Register took place in a context shaped by two seminal events, the end of the cold war and the second Gulf War, which saw Iraq, armed with imported advanced weapons, overrun its neighbor Kuwait, threaten the oil fields of the Gulf, and hold off an international coalition of the major military powers for almost six months. The end of the cold war saw the disintegration of the Soviet Union and the emergence of a Russia working in tandem with the other major Powers, in the Security Council and elsewhere. The immediate effect was to increase the amount of attention paid to the non-proliferation of weapons systems and to transparency.

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The increased concern about proliferation gave a large boost to several non-proliferation efforts such as the stalled chemical weapons Convention, completed in 1993, and the Missile Technology Control Regime (MTCR), which began to add new members, while key non–members such as China and Russia pledged to observe the norms established by the founding members in 1987. The Nuclear Suppliers Group (NSG) responded to the Gulf War reality by appending additional dual-use items to the list of targeted commodities, central to its efforts to stem proliferation via trade restrictions.[1] Finally, having successfully completed the chemical weapons Convention, the Geneva–based Conference on Disarmament (CD) focused on negotiating a comprehensive test-ban treaty.

As with non-proliferation, the international community has also begun to emphasize transparency as a new approach and a basic building-block towards achieving cooperative security. That has been most evident in the Conference on Security and Cooperation in Europe (CSCE), where a host of transparency measures were put into effect and developed as the cold war ended, including exchanges of information under the Treaty on Conventional Armed Forces in Europe (CFE) and Open Skies Treaties and the more regularized exchange of databases on the order of battle and inventories of its member States. In the United Nations, the Disarmament Commission (UNDC) has adopted guidelines and recommendations for objective information on military matters.[2] Several regional organizations have begun to take steps to make military information more available.[3] There has even been an effort by international financial organizations to tackle a project that has long been taboo: increasing the transparency of statistics on military trade.

Post–cold war international arms trade control

What was the impact of those two seminal events on the proliferation of conventional weapons? Throughout the cold war, the trade in conventional weapons was never a part of the larger non-proliferation agenda, at least at the international and multilateral levels. But the end of the cold war brought about major systemic changes in the arms trade relevant to the emergence of the Register. The former Soviet Union, a major supplier during the cold war era, disappeared, leaving the United States as the largest supplier. As the cold war and its systemic arms race ended, the demand for advanced high-technology weaponry lessened significantly, with defence budgets in major military industrial nations declining as a result. Also, the concept of exporting arms for political influence began to be replaced by economics (especially jobs) as the primary motive of supplier States. That has led to significant amounts of surplus equipment becoming available at low prices. Major arms-producing nations, therefore, have not been able to maintain national production through exports. Those realities led to a decline in the trade in major conventional weapons that was well under way by August 1990, when Iraq invaded Kuwait with a vast arsenal of imported weapons. After five consecutive years of decline, the downward trend in deliveries of major conventional weapons seems to have stabilized in 1993.[4]

It is not surprising that in the wake of the Gulf War there was an unprecedented outpouring of more traditional arms trade control proposals from defence trade publications[5] ; the Chief Executive Officer (CEO) of Daimler-Benz, the largest German arms-producing company[6]; supplier Governments[7] ; recipient Governments[8] ; and European organizations[9] . Contained in those proposals were policies to tighten up export procedures and to develop more international controls. On 29 May 1991, President Bush announced the "Middle East Arms Control Initiative", calling for the five largest arms-supplier nations (the five permanent members of the Security Council, China, France, the former USSR, the United Kingdom and the United States) to meet in Paris to "establish guidelines for restraints on destabilizing transfers of conventional arms, as well as weapons of mass destruction and associated technology". The proposal also called for expanding the talks to other suppliers and permitting States in the region to "acquire the conventional capabilities they legitimately need to deter and defend against military aggression". To implement the regime, suppliers would undertake to "observe a general code of responsible arms transfers, avoid destabilizing transfers, and establish effective domestic export controls on the end-use of arms or other items to be transferred". The proposal also called for a consultative mechanism. Further, it recommended that a freeze be put on surface-to-surface missiles in the region, with the goal of their eventual elimination.[10] Complementing and sometimes challenging the President's effort were a series of proposals from the United States Congress. They ranged from an outright ban on all arms sales to the Middle East to support for the arms register concept. [11] The amount of attention paid to those issues has not diminished in recent years, although the international community is still far from reaching a consensus on an international conventional arms trade control regime.

Together, the developments mentioned above formed the basis for an emerging international norm: that the accumulation of excessive and destabilizing amounts of conventional weaponry by a State was unacceptable. As a result, there were policy proposals from many quarters to develop multilateral and international control mechanisms designed to prevent a rerun of the Iraqi situation. The five permanent members of the Security Council began meeting in July 1991 to develop some multilateral restraints on destabilizing arms transfers. But those traditional arms trade control approaches soon fell victim to the realities that have always existed, and the so-called P-5 talks are dead in the water. Even in the post-cold war era, States can rarely agree prior to a transfer that it will indeed be destabilizing. A critical part of such an approach, the existence of agreed-upon government data on arms inventories, has never existed. Furthermore, with the end of the cold war resulting in rapidly declining orders for domestic defence production, the pressure from defence industries was clearly against any movement towards national or international arms export controls.

The Register: Fall-back position or step forward?

In that context, the United Nations began to consider seriously an alternative approach, the idea of transparency, that is, the revealing of information on the arms trade so as to allow an affected State to minimize or eliminate any possible negative military or strategic consequences it might perceive. In effect, the norm of transparency was added to that of preventing excessive and destabilizing arms build-ups. Much of the impetus for the idea came from the degree of unintentional transparency surrounding the Iraqi case, such as the unwanted publicity that German companies received as a result of arms transfers to Libya and Iraq. Lists of firms and the items exported which led to undesirable military capability in those two States provided the most detailed, public evidence of how a developing country could acquire the ability to produce ballistic missiles with warheads of mass destruction.[12] Transparency also began to take shape as a goal worthy of purposeful effort. The United Nations sponsored a conference in Italy in the spring of 1989 and published the papers from it in 1990.[13] In the spring of 1991, in the aftermath of the Gulf War, many countries began to disseminate the details of their arms exports and to put forth proposals for transparency and the idea of an international arms trade register. France, Germany, Bulgaria, the former Czechoslovakia and the former Soviet Union all published theretofore unreleasable data on arms exports.[14] As the July 1991 G7 summit meeting approached, the leaders of Japan and the United Kingdom put forth formal proposals for an international arms trade register, an idea which was ratified at the summit.[15]

Within the UN, support was mounting for an alternative, more gradual approach. In its resolution 43/75 I of 7 December 1988, the General Assembly requested that the Secretary-General, assisted by a panel of governmental experts, undertake a study on ways and means of promoting transparency in international transfers of conventional arms on a universal and non-discriminatory basis.[16] The expert group's report included several recommendations concerning the role of transparency in promoting restraint in arms transfers, not least of which was the creation of a universal and non-discriminatory register of arms transfers under the auspices of the United Nations.

Concurrent with the study, in the summer of 1991 the Governments of the European Community and Japan put forward formal proposals for the establishment of a register of conventional arms. Discussion of those proposals through the fall of 1991 led to the 9 December 1991 adoption of General Assembly resolution 46/36 L entitled "Transparency in armaments". The resolution established the Register of Conventional Arms, its purpose being to enhance transparency in arms transfers and procurement in order to promote increasing confidence among States and, thereby, to strengthen international security. In establishing the Register, the General Assembly declared its determination to prevent the excessive and destabilizing accumulation of arms, while at the same time recognizing the legitimate security concerns of Member States. [Ed. note: See documentation section in this issue.]

The resolution's basic philosophy differs significantly from most proposals dealing with the negative effects of the arms trade, namely, it assumes that, given the realities of economics and national security, States cannot make *a priori* judgements, on a multilateral basis, as to the "excessive and destabilizing" nature of an arms deal. Arms build-ups occur one deal at a time. It is only *ex post facto*, in a specific context, that such a determination can be made. That conclusion is reinforced by the fact that arms deals of the type reported to the Register are legal and legitimate. Stopping them before they start, in a multilateral forum, will always be difficult, if not impossible. States have done this unilaterally, however, especially during the cold war.

Results from the first year of the Register [17]

Participation

A major aim during the first year of the exercise was to maximize the number of participating States. Eighty-seven Member States, that is, 47 per cent of the total General Assembly membership, submitted national reports, many more than had done so in the previous and somewhat parallel exercise of reporting military expenditures to the United Nations. Participation varied significantly by region. In Europe and North America the member states of the North Atlantic Treaty Organization (NATO) and the CSCE went on record as supporting the Register and committed themselves to participation and the sharing of reports. On the other hand, no State in sub-Saharan Africa reported any imports. In the crucial area of the Middle East, no Gulf States reported. The significant number of non-reporting countries can be explained partly by the fact that in 1992 they traded no arms in the seven categories of weapons of the Register, although they were all asked to submit a report, even if it was a nil report. The major weapon importers not reporting included Bangladesh, Iran, Kuwait, Taiwan (not a Member State), Thailand, Saudi Arabia and Syria.

The States submitting reports generally did so at five different levels. Some States participated at a maximum level, using the forms provided with maximum transparency of data, and also submitting background information on their military holdings and procurement through national production. A second group made their returns according to the suggested standardized reporting form without, however, giving details on transactions such as weapon designations or types of transferred equipment. A third, small group of States cited specific reasons for their non-participation. South Africa's, for example, was the UN embargo still in place at that time. A fourth group submitted only a *note verbale* covering miscellaneous topics, while a fifth group submitted information only on the regulations and policies related to arms exports and imports in their respective States.

The reports also show that participation of exporters was greater than that of importers. A total of 194 arms deals were reported for 1992. Exporters reported 159 transfers, while importers reported 109. There were 74 duplicate entries, which both reported. The non-participation of three key States—Iran, the Democratic People's Republic of Korea, and Syria—where public information indicated that significant trade in missiles took place in 1992, created a major gap in government-produced data. The reason for those discrepancies may be that for exporters arms are primarily of interest in commercial terms, while for importers security concerns are a major factor.

Of the 33 States submitting background information, 13 documented their military holdings and procurement through national production of arms in the seven categories covered by the Register; seven additional countries reported on their holdings only; and many of those reported on their security and/or arms transfer policies.

Quality of Reporting

The Register allows for verification through cross-checking, as it asks Member States to report both exports and imports. It was possible to determine the extent to which the reports of exporters and importers matched, especially when they concerned the same transfer. Four types of cases occurred in the reports covering 194 recorded transfers:

a The transfer was reported by both exporter and importer, and the number of items matched, in 51 (26 per cent) of the cases;

b The transfer was reported by both exporter and importer, but the number of items reported did not match, in 16 (8 per cent) of the cases;

c The transfer was reported by only the exporter or the importer, since the other party participated in the Register process but did not report that particular transfer, in 70 (36 per cent) of the cases;

d The transfer was reported by only the exporter or the importer, since the other party did not participate in the Register process, in 57 (30 per cent) of the cases.

That analysis of matching data, when applied to the seven categories of weapons, revealed that for certain categories, exporter and importer States agreed more readily on the specifics of the transfer, as evidenced by a higher level of matching data. In Table 1, the percentage indicates the level of agreement among exporters and importers as to the number of items transferred.

States which submitted arms exports data did so with varying levels of transparency. For example, of the 24 States reporting exports, 17 opted to use the "Remarks" column to provide some description of the weapon system exported.

However, when the use of this column was assessed by the number of transfers reported, only 64 of 159 (40 per cent) contained that type of data. Some States used highly aggregated data, especially in the missile and missile launcher category. While that complied with the procedures outlined in the Report of the 1992 Panel of Governmental Technical Experts (A/47/342), in effect it produced little or no information on the actual transfers.

Table 1: Level of agreement among exporters and importers on number of items transferred

Category	Level of agreement as percentage	Number of items transferred
Battle tanks	82	1733
Armoured combat vehicles	32	1625
Large-calibre artillery systems	49	1682
Combat aircraft	68	270
Attack helicopters	43	40
Warships	11	40
Missiles and missile launchers	13	67,878

Discrepancies and Quality of Data: Patterns and Explanations

Lack of Confirmed and Transparent Data

One key to making recommendations for the further development of the Register is to attempt to understand the reasons for the lower-than-expected quality of data in the first year of operation, for which at least six reasons can be adduced.

The first is basic, namely, the lack of participation by States, especially those with major levels of arms imports in the seven categories in 1992. Data on a transfer cannot be confirmed and thereby have optimum validity when one or the other partner to a deal does not participate in the Register. That suggests that efforts in the UN and other international/regional forums to increase participation, in addition to reinforcing the norms established in the resolution, could improve significantly the quality of the data. While the process of submitting returns for the second year of operation of the Register (1993) is still under way at the time of writing, several Governments supportive of the Register have made efforts to promote the participation among Member States.

A second reason for the lack of confirmed data is conflicting interpretations of category definitions. For example, Malta reported receiving ships from Germany which did not meet the category definition, i.e., they weighed less than 750 tons and were not armed with missiles. Germany conformed to the procedures and did not report the transfer. So, despite the fact that both countries participated in the Register, those data could not be confirmed. Similar problems occurred with the specific categories of combat aircraft and attack helicopters. A grey area is being created by broad Register definitions for attack helicopters (particularly ship-based helicopters) and combat aircraft (armed trainer aircraft). As a result, some Governments did not report transfers of systems that were publicly reported in sources such as the Stockholm International Peace Research Institute (SIPRI) arms trade register as meeting Register definitions. However, in some cases it could not be ascertained if such equipment ought to be registered, since a number of Governments do not publish details on the types of weapons they export or import.

A third reason is conflicting interpretations of whether or not a transfer has occurred. Several examples from the first year of reporting make the point. A number of States reported receiving ships from the United States that were, in fact, leased. United States national procedures do not define that type of transfer as a change in control or ownership of the vessels; therefore that country did not report them. Another case of confusion occurred in Europe with co-produced multilaunch rocket systems (MLRS). Some members of the consortium reported them as production, others as transfers. Some of the discrepancies are expected to balance out in the Register's second year, when the importers report having gained control over the equipment.

A fourth reason was conflicting interpretations of when a transfer took place. In the case of a submarine sold by Germany to the Republic of Korea in 1992, the former reported the export, since the Republic of Korea assumed ownership in 1992. The latter, however, apparently interpreted the transfer as occurring when the ship was actually under its national control, which it concluded was in 1993, and therefore did not report the import of the submarine. A second example occurred between China and Pakistan, which both reported a transfer of tanks from China but differed in regard to the numbers involved; the variance was based on differing interpretations as to when Pakistan assumed control of the equipment.

A fifth source of lower-quality data was due to a poorly defined category, namely, category VII, missiles and missile launchers. Some States used highly aggregated data in that category, e.g., 109 missiles and missile launchers exported from country A to country B. If the "Remarks" column did not classify those data by type and/or model of missile, or disaggregate them into missiles and launchers, in effect it produced little or no information on the actual transfers. While that complied with the procedures outlined in the Report of the 1992 Panel of Governmental Technical Experts, in fact it violated the basic purpose of the Register. In this case, the results may be more dysfunctional than non-participation or non-reporting, since they may add to misperceptions. Because it is a common occurrence ripe for a solution in the current deliberations of the 1994 Group of Governmental Experts, one may suggest several reasons for that behaviour and the lack of motivation for States to be transparent about their missile transfers.

This is a Register created by the Iraqi invasion of Kuwait and its aftermath. Despite the tanks and aircraft in the Iraqi arsenal, it was the missiles — air-to-air, surface-to-air, and, above all, surface-to-surface (e.g., modified SCUDs) — that dominated the concerns of the allied coalition which fought the Gulf War and the architects of the Register. That category, therefore, is the most sensitive because it can have the greatest impact on regional conflict. On the other hand, non–aggressor States, possessing those same missiles but concerned only with protecting themselves, also view their inventory on missiles as critical to that mission. The missiles are expensive and, as a result, States safeguard them against pre-emptive strikes. It is not surprising, therefore, that some States may not be too enthusiastic about releasing extensive amounts of information regarding models and types which could then be translated into capabilities to be countered by unfriendly nations.

A broad definition of the category adds additional confusion, since there are so many types of missiles, especially when compared to weapons systems such as tanks. Those types have widely varying effects when attempts are made to determine the presence of an "excessive and destabilizing" accumulation.

Another problem arises because not all types are included, for example, ground-to-air missiles and many types of air-to-air and antitank missiles. Since the reason for the exclusion is not made clear, it detracts from the credibility of the exercise, at least in that category.

Finally, a critical and perhaps fatal flaw is the lumping together of missiles and missile launchers. Again, that category has its roots in Iraq, where the SCUD launchers became as important as the reloads themselves. However, as it stands, the category invites States to mask rather than illuminate their transfers.

What about cheating and deception? Given the reality of national intelligence services, it is highly likely that there are a number of cases where the reporting has increased suspicion. Where an outside observer may attribute discrepancies to a lack of bureaucratic rigour, deception and cheating cannot be ruled out. While it is highly likely that in the aggregate the Register covered 90 to 95 per cent of the arms trade in the seven categories, the discrepancies were numerous enough to provoke bilateral diplomatic queries to reconcile some of the mismatches. One can imagine someone in the various national intelligence services and other government agencies drawing the assignment of comparing the Register returns to intelligence data. It is known that, in order to avoid some of those discrepancies, Governments have consulted with their arms trade partners before submitting their 1993 reports to the UN. That is one of the purposes of the Register: to make data transparent and then deal with neighbours or others who have doubts about their validity.

Regional Differences

As the chart below indicates, there were wide variations in reporting and creation of data by region. In part, they were due to the varying regional experience with transparency exercises and the presence of national bureaucracies, such as those in Europe and North America, accustomed to generating military data of that kind. Regions such as sub-Saharan Africa are at a comparatively low level of militarization as concerns the seven categories of major weapons, with little need for such a data-generation capacity at this point in their existence as a system of independent States. In Latin America and some parts of Asia, a different factor may explain the varying levels of participation, namely, civil-military relations. Producing transparent and therefore public data for the United Nations may go against the norm and, in some cases, the laws in those countries where the military has used its expertise in such areas to guarantee and sometimes force a political role for itself. Finally, one of the critical realities made clear by the first year of reporting was that in the former Soviet Union, national export control systems were in varying stages of development. That made it very difficult to assess the first year of the Register in that region. Though there was a public perception that the region was awash with the continued production and export of arms, little was reported to the Register.

Table 2: Regional distribution of Member States reporting to the Register

Region	Imports		Exports		
	Data included	Nil report	Data included	Nil report	Background information
Africa	0	4	0	6	0
Asia	11	7	2	14	4
Middle East	2	2	2	2	2
Latin America	5	5	2	8	4
CIS and East Europe	4	12	7	5	6
North America	2	0	2	0	2

Western Europe	14	6	9	12	16
Totals	38	36	24	47	34

Note: Western Europe includes European NATO and neutral countries

Another key factor explaining the variation in regional participation was indifference, the fact that many States did not view the Register as a relevant process, or the Register's weapons categories as relevant to their region (e.g., Africa and Central America, where hardly any major weapons have been transferred, although small-arms supplies do play an important role in the ongoing conflicts). In the case of the Middle East, the Register came on line just as the peace process entered a critical stage. That region is assumed to be the most volatile, and States such as those in the Gulf may simply not find it prudent to participate until more certainty and stability emerge in the region.

Achieving the Objectives of the Register– The First Year

As noted previously, the development of the Register in the summer and fall of 1991 was a difficult task for the architects, trying to balance the various perspectives of States in an area of international and national security never attempted before. The resolution itself contains various objectives, some of which were added in order to achieve a consensus. The question now is how well those various goals and objectives have been achieved in the first year of operations. Such an assessment is another key element in fashioning specific proposals for developing the Register.

Transparency and openness

An estimate of more than 90 per cent of the actual transfers taking place seems reasonable, although the non-participation of some key importers and exporters and the less than adequate control systems in the former Soviet Union cannot allow complete confidence in such an assessment. The Register revealed some deals previously unknown to public specialists and NGOs and confirmed actual numbers of systems and their year of delivery far beyond what had been publicly known. In sum, the fact that most of the actual arms trade was made transparent takes that mode of commerce out of the unknown and into the domain of the United Nations, where it can be dealt with publicly. On the other hand, the lack of transparency in some transfers, especially those of missiles and missile launchers, detracts from the overall goal of openness.

Confidence-building

The fact that 87 States participated in a new and historic exercise creates an environment of confidence on a global scale, where none existed before. States can and will submit transparent military data with little negative effect, either nationally, regionally or universally. The development of a public database of government-produced arms trade statistics should give States confidence to continue to submit data and improve the process. One must await the further development of the Register to gauge the extent of the positive effect such submissions have in regard to confidence-building. Detracting from the goal of confidence-building was the low level of participation in certain regions and the poor quality of data in the missile and missile launcher category.

Universal participation

The Register was developed as a universal and non-discriminatory process, global in scope. A majority of the key States in the arms trade did participate. There is some evidence that a chain reaction of sorts occurred, that is, some States became aware of each others' reporting activities and did not want to be perceived as being excluded from the evolving global process. Regional promotion occurred, owing to the efforts of extant regional organizations (e.g., CSCE, EU) and to the regional workshops conducted by the UN Centre for Disarmament Affairs. Detracting from the achievement of the goal was the fact that more than half of the United Nations' Member States did not participate. In the case of the Register, participation reinforces the new norms contained in the Register and equates directly with the achievement of that goal.

Prevention of excessive and destabilizing accumulations of conventional weapons

As has been stated previously, the Register process is designed to prevent an Iraq-like situation by preventing the excessive and destabilizing accumulation (i.e., build-ups) of conventional weapons. During the Register's first year of operation little progress was made toward achieving that goal, for four basic and understandable reasons. First, the Register as currently constructed contains only data on transfers. An adequate assessment of the destabilizing nature of a military build-up requires a baseline (military holdings) and the acquisitions (imports plus procurement through national production) of each party during the year in question. Second, it is highly unlikely that one year, in this case 1992, when global arms deliveries were lower than normal, would produce a conclusion of "excessive and destabilizing", especially in light of the proximity in time of the Gulf War experience. The Register can achieve that goal only over time. A third reason that achievement of this goal is premature is the lack of any consultative mechanism to assist States in determining the presence of excessive and destabilizing build-ups. And finally, even with such a mechanism, all of the States for which such a determination is critical and relevant must participate in the exercise. The key to achieving that goal is that the determination must be made in context, and it would be folly to attempt to develop a consensus definition of "excessive and destabilizing" which could then be applied to an individual State through traditional diplomatic means.[18] Many Governments have emphasized that the Register is not an intelligence exercise. Rather, the essence of cooperative security is the building on the establishment of a norm such as the prevention of excessive and destabilizing accumulations of arms by developing the structures needed to reinforce the norm and make it operational.

Strengthening regional peace and security

The Register is designed to play a role in bringing about peace and security. As with the previous goal, it is clearly premature to talk in such terms. For the Register to succeed, it also must be integrated into regional and parallel security forums. That process must await not only fuller participation but also the further development of the Register.

Promoting openness in armaments at the national level

Although not as explicitly developed in the resolution as the previous goals, the Register process is designed to create and promote openness at the national level through the creation of national control and reporting processes. Some States reporting to the Register had to change their national laws regarding the secrecy of military and proprietary information. Others released data irrespective of existing arrangements, especially in respect to commercial relationships. It must be said, though, that many States, particularly those which did not participate in the first year, have not yet overcome a tradition of secrecy in military matters.

Promoting restraint

A brief review of the public analyses and assessments of the first year's operation make clear the disappointment regarding the failure of the Register to bring about any restraint in the arms trade. The point was made by both China and the Democratic People's Republic of Korea in the fall 1993 session of the First Committee of the General Assembly. Critics of United States arms export policy have also made that point. Given the previous comments on the lack of a consultative mechanism to assist in the determination of "excessive and destabilizing" arms build-ups, the inability of the Register to bring about restraint is not surprising. No individual State would view its reported transfers as anything but defensive and in accordance with Article 51 of the UN Charter. Given that reality, the "restraint" referred to in the resolution is likely to occur only as a result of that prior determination. Restraint for restraint's sake is not a component of the Register process. Rather, it is related to a security context that can only be addressed multilaterally.

Early warning

Although the phrase does not appear in the original resolution, the Secretary-General made it clear in the fall of 1992, in *New Dimensions of Arms Regulation and Disarmament in the Post–Cold War Era,*[19] that the Register had the potential for achieving such a goal. He continued to stress this function as recently as his opening remarks on disarmament in Geneva in January 1994.[20,21]

Does the Register address the current arms trade trends?

Trade in major systems

It is appropriate to ask if the process is addressing the arms trade trends which have evolved since 1991 in the post–Gulf War environment. As mentioned previously, the Register is linked inextricably to the role arms build-ups played in the Gulf War. The international arms trade system of the 1980s produced the inventories not only of Iraq but also of its neighbours, the end result of which was an unstable military balance closely related to the outbreak, conduct and termination of the Gulf War.[22] That linkage is reflected not only in the terms used in resolution 46/36 L but also in the seven categories of advanced weapons to be made transparent. "The focus is on weapons indispensable for surprise attacks and large-scale offensive military actions. These weapons systems are relatively easy to identify, define, record and monitor."[23] One needs to be careful to not brand the seven categories as offensive weapons. The previous remarks in this report regarding the definition of "excessive and destabilizing" mean that "offensive", too, can be defined only in a certain context. One of the reasons the Register was developed was to provide such an opportunity. Nevertheless, those are the categories of systems most likely to cause such situations.

There is no obligation to report on an entire range of weapons not included in the Register in its current form: small arms, bombs, munitions, mortars, guns below a certain calibre, missiles below a range of 25 kilometres, ground-to-air missiles, support ships, non-combat planes and helicopters, and others. Even if it is assumed that the arms trade system only involves end-items in those seven categories (the remainder of this section will question that assumption), the Register falls far short of addressing the trade in missiles. The inadequacies of that category have been addressed previously.

To stress only one problem, ground-to-air missiles are not included. In addition, the range limitation of 25 kilometres means that several classes of very lethal missiles — e.g., anti-tank, air-to-air — are basically not covered by the Register and any subsequent assessments of arms build-ups. Clearly an excessive accumulation of those types of missiles could be destabilizing. Given that the overall trade in major weapons systems (i.e., platforms) has been declining steadily in the post-cold war era, acquisition of additional missiles is an obvious step to increase military capability.

There are other major systems not covered by the Register which, if accumulated in certain regions, could contribute to excessive and destabilizing build-ups. Most of those (e.g., electronic warfare systems, remotely delivered mines etc.) are mentioned in the second part of the 1992 report, which is serving as an agenda for the 1994 Group of Governmental Experts. Further, the Register is concerned only with the legitimate arms trade and does not deal with the growing problem of illicit arms transfers.

New Commodities

The Register does not address some of the newer trends in the arms trade, especially those commodities which can affect and alter significantly the build-up of military capability but are not in themselves major stand-alone systems or platforms. For example, given the well-documented shortage of funds which can be used for weapons purchases, recipients are importing upgrades in the form of newer weapons, engines and radars for old platforms already in the inventory. It is not clear how that is to be reflected in the procedures of the Register. Second, the Register approach is not well suited to enhance the transparency of the early warning and command, control and communication systems which are increasingly being imported as force multipliers. Trade in the technology itself, in a sense, is addressed in the

Register. Although it is highly unlikely that a military technology register can or will be developed, if the Register does develop into one which makes transparent "procurement through national production", the end result of the technology will be made transparent.

The special case of light weapons

While it is true that increased attention is being paid at the subnational, national and international levels to the negative consequences of the unlimited sale of major conventional weapons, especially into areas of regional tension, the opposite is true of the trade in light weapons. Owing to a systemic change in the mode of conflict, from major wars between States to ethnic and intra-national conflicts, the demand for light weapons has increased. With the collapse of national export control systems in States possessing a surfeit of such weapons, light weapons, including everything from rifles to land mines to artillery pieces, are now readily available for the host of civil and ethnic conflicts raging in many parts of the developing world and, particularly, in the former Soviet Union. By all accounts, the trade in light weapons — small arms, land mines, mortars, man-portable missiles and the like — has increased significantly in the post-cold war era.[24] The end of the cold war has unleashed ethnic conflicts long dormant and controlled by the logic of the cold war and the concept of client States. Ironically, that increase in trade and the accompanying negative consequences have become increasingly visible due to the more frequent use of UN peace-keeping and peacemaking operations, which entail mass media coverage. In armed conflict most of the killing has always been done by light weapons, and there can be no question that increasing numbers of such weapons are reaching an increasing number of soldiers, paramilitary forces, non-state actors and civilians involved in ethnic conflicts which will not be resolved for a long time to come.

Conclusion: Enhancing the Register

Resolution 46/36 L clearly envisioned that the Register would be developed further. The continuing consensus that has emerged during the first year of the Register reinforces and legitimizes the necessity for further development, and those enhancements can be grouped into five types.[25]

—Improving the current version of the Register as an *arms transfer register*: improving the quantity and quality of returns;

—Developing the Register into an *arms acquisition register*: the addition of procurement through national production;

—Adding *new categories*: including weapon systems that are not covered in the present Register which are important in the current procurement process;

—Transforming the Register into a *military capabilities* register: adding military holdings to it; and

—Developing the Register into a useful *instrument of cooperative security*: evolution of the "philosophy" of the Register as a transparency and confidence-building instrument.

Those issues are on the agenda of the 1994 Group of Governmental Experts entrusted to review the first two years of the Register and to recommend possible expansion. However, given the fact of still-existing divergent views on some key issues, like the inclusion of military holdings and procurement through national production, it is unlikely that consensus can be reached on every item mentioned above. Thus, the work in 1994 is likely to be one further step towards achieving the goals of the Register, which need to be followed by others at a later stage when it has further proved its value.

Notes

1 For a recent assessment of the response of the NSG to the end of the cold war and the Gulf War, see Tadeus Strulak, "The Nuclear Suppliers Group", *The Non-proliferation Review*, vol. I, No. 1 (Fall 1993), pp. 2-11.

2 *Official Records of the General Assembly, Forty-seventh Session, Supplement No.* 42 (A/47/42), annex I.

3 For a summary of those transparency efforts, see Hendrik Wagenmakers, "The UN Register of Conventional Arms: a new instrument for cooperative security", *Arms Control Today*, (April 1993), pp. 17–19.

4 See the forthcoming *SIPRI Yearbook 1994*, chapter 13.

5 "Unify arms control", *Defense News*, 22 April 1991.

6 "EC ponders single policy to regulate arms sales", *Defense News*,1 April 1991.

7 "European Governments take steps to tighten military export controls", *Defense News*, 1 April 1991; "Italians seek global forum on arms sales", *Defense News*, 11 March 1991; "France to urge export policy coordination", *Defense News*, 8 April 1991; "Canada prods United States on arms sales", *Arms Control Today*, June 1991.

8 "Egypt proposes regional arms control plan", *The New York Times*, 5 July 1991.

9 "EC ponders single policy to regulate arms sales", *Defence News*, 1 April 1991; "EC export control scheme planned", *Jane's Defence Weekly*, 8 June 1991.

10 "Middle East Arms Control Initiative", The White House, Office of the Press Secretary. 29 May 1991.

11 For a complete list, see "Congress's actions on arms transfers: from limits to loans", *Arms Control Today*, June 1991.

12 The reporting on that development was extensive, much of it in German. One of the most in-depth treatments in English is Kenneth R. Timmerman, *The Poison Gas Connection: Western Suppliers of Unconventional Weapons and Technologies to Iraq and Libya* (Los Angeles, Simon Wiesenthal Center, 1990); and Kenneth R. Timmerman, *The Death Lobby* (Boston, Houghton Mifflin, 1991). The most comprehensive source in German is Hans Leyendecker and Richard Rickelmann, *Exporteure des Todes: Deutscher Rüstungsskandal in Nahost* (Göttingen, Steidl, 1991).

13 *Transparency in International Arms Transfers,* Disarmament Topical Papers 3 (United Nations publication, Sales No. E.90.IX.9).

14 "Bulgarians to share data on arms sent to terrorists", *The New York Times,* 2 August 1990; "Germany's trade surplus down by 20 per cent", *The Financial Times,* 15 February 1991; "French to list export details", *Jane's Defence Weekly,* 11 May 1991; "Belousov details 'diminished' military exports", *Tass* English translation in FBIS–SOV–91–006, Foreign Broadcast Information Service, 9 January 1991. See also *SIPRI Yearbook 1991* (Oxford, Oxford University Press, 1992).

15 "Kaifu calls on UN to monitor conventional arms", *Defense News,* 3 June 1991; "Leaders call for Register on International Arms Sales", *The Financial Times,* 17 July 1991.

16 General Assembly resolution 43/75 I entitled "International arms transfers", 7 December 1988, op. para. 5.

17 The following assessment is excerpted from Edward J. Laurance and Herbert Wulf, "An evaluation of the first year of reporting to the United Nations Register of Conventional Arms" (Monterey, Institute of International Studies, October 1993). A more detailed analysis is contained in Edward J. Laurance, Siemon Wezeman and Herbert Wulf, *Arms Watch: SIPRI Report on the First Year of the UN Register of Conventional Arms* (Oxford, Oxford University Press, 1993).

18 That is exactly what was attempted by key developing States in the Ad Hoc Working Group on Transparency in Armaments of the 1993 Conference on Disarmament session. It was seen by the Western States as a tactic to prevent any serious discussion on transparency, endorsing the point just made in this paper.

19 *New Dimensions of Arms Regulation and Disarmament in the Post–Cold War Era;* Report of the Secretary-General (United Nations publication, Sales No. E.93.IX.8).

20 Address of the Secretary-General to the Advisory Board on Disarmament Matters contained in *The Disarmament Agenda of the International Community in 1994 and Beyond*; Statements of the Secretary-General (United Nations publication, 1994).

21 As with several other objectives covered in this section of the analysis, its fulfillment awaits the development of some multilateral mechanism or forum in which the data can be addressed. In addition, an excessive amount of attention devoted to this objective runs the risk of overemphasizing the Register as an intelligence and verification instrument.

22 For a thorough description and rules of operation of this system, see Edward J. Laurance, *The International Arms Trade* (New York, Lexington Books, 1992).

23 Wagenmakers, *op. cit.*, p. 16.

24 For two excellent and recent accounts, see Aaron Karp, "Arming ethnic conflict", *Arms Control Today,* September 1993, pp. 8-13; and "The covert arms trade", *The Economist,* 12 February 1994, pp. 21-23.

25 The possibilities for the development of the Register are analysed in M. Chalmers, O. Greene, E. J. Laurance and H. Wulf (see note 1 above).

The Register and Its Future

Ian Anthony

The appropriate test of any data set is whether it meets the objectives that it sets for itself. Ideally, those objectives should be simple and clear and data should be collected in a consistent manner over an extended period.

Within the United Nations different people want different things. The UN has to try and meet the objectives of all its Member States as well those defined by the Organization itself. Those objectives are rarely defined consistently, articulated clearly and easily reconcilable. Moreover, objectives and national interests can change over time. Equally, in the domestic debate within countries there is no uniform view about the objectives and usefulness of the Register.

The answer to the question of what is required to make the Register more useful hinges on the purpose of the Register. If the Register is seen as a predominantly political exercise, then enhancing its usefulness means expanding

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participation beyond the 83 countries which sent returns during the first year of reporting. (As at 1 June 1994, 87 countries had submitted returns.) If the Register is considered to be useful because of the official information it provides to Governments about one another, then emphasis would be placed on the structure and content of the returns made to it. The Register was opened to all users through the decision to publish a consolidated report as a General Assembly document. In some countries the Register is seen as a public good that raises the accountability of Governments to their national parliaments or media.

Finding measures that would be likely to broaden participation and generate a greater level of information is a challenge. It may be that greater participation would be encouraged by further limitations in the volume of information requested by the United Nations. In other words, a request for more detailed information within the seven existing equipment categories which make up the Register or the addition of new equipment categories may act as a deterrent to countries considering participation. Worse, it may deter countries which chose not to participate in the first year of reporting from joining the Register in its second year.

The overall conclusion of this evaluation is that the basic structure of the transfer elements of the Register is sound even though it does not meet perfectly any of the competing objectives noted above. However, the first year of reports to the Register has revealed several flaws which — while by no means fatal — reduce its value by producing misleading distortions in the data reported. The current Group of Governmental Experts should take the opportunity to correct those flaws and improve the usefulness of the Register.

The consolidated report is presented with little or no explanation of its contents. In the absence of a companion report analysing the returns, Governments might usefully seek clarification and elaboration of submissions in a consultative body of some kind. Participation might be encouraged if such clarification and elaboration through a consultative body were available only to Governments which have submitted a return.

The basis for much of this paper is a comparison of the Register with the output of the SIPRI arms transfer data base. It is important to recognize several key differences in the nature of the two bodies reporting on arms transfers; the value of comparing them should not be overstated. SIPRI is an independent non-governmental research institute responsible to a small Governing Board composed of academic researchers. The purpose of the data collection is to deepen understanding of international arms transfers. SIPRI is not a policy-planning institute or a "think tank" and, as a result, prefers to publish descriptive rather than prescriptive analyses.

SIPRI data and analysis are available to anyone who wishes to use them. While users can include Governments, they are neither the most important nor the most regular consumers of SIPRI products which are used more widely by academic researchers, political interest groups and the electronic and print media.

SIPRI arms transfer data are presented in several forms. One form of presentation is the table contained in each SIPRI *Yearbook* whose format resembles that of the Register. A second form of presentation is statistical, as SIPRI trend indicator values. While expressed in US dollars, those trend indicator values are, in fact, an index which expresses the volume of equipment delivered. That point is explained more fully below. The tables are supplemented in each *Yearbook* by an extended text which, with its appendices, usually runs to sixty or more pages.

The Register, by contrast, is not an academic construction but an intergovernmental agreement. While the information presented in the Register is nothing like as detailed or comprehensive as that provided by SIPRI, it carries an authority which SIPRI cannot match. SIPRI data are based on a careful and systematic compilation of information already in the public domain. The Register is compiled from returns provided by Governments which are, by definition, the primary authority on their national military activities. As a result, the Register can provide a basis for dialogue between Governments, which SIPRI data never could. If Governments which have volunteered information to the Register are subsequently questioned about the reasons for any given import or export, they must deal with the substantive issues at stake in the case in question. Questioned on the basis of information published by SIPRI, however, Governments can avoid issues of substance by challenging the validity of the data.

In spite of those fundamental differences, the structures of the SIPRI and UN data collections are sufficiently similar to permit some comparisons.[1] Both use inter-State transfers as their organizing principle rather than focusing on the defence industry (as a supplier) and the armed forces (as a customer). Both seek to measure the global volume of deliveries of specified items as part of an effort to examine the political and strategic impact of changes in the flow of those items. Neither register is concerned with the financial flows associated with arms transfers or with the economic and industrial impact of the arms trade on suppliers or recipients. Similarly, neither register attempts to track transfers of small arms or dual use equipment on a comprehensive basis. Both data sets are largely relevant to the discussion of inter-State security and conflict.

The coverage of a transfer register

General Assembly resolution 46/36 L of 9 December 1991, entitled "Transparency in armaments", included an extensive catalogue of national, regional and international security problems. [Ed. Note: See documentation section in this issue.] According to the 1992 report on the Register of Conventional Arms tabled by the Secretary General, the Register should be seen as one step in implementing the resolution.[2] Consequently, the Register does not try to address all of the issues raised in resolution 46/36 L (let alone all of the challenges facing the international community). However, the Register is not the only measure under development in that regard.

Discussions on transparency in armaments at the Conference on Disarmament (CD) address other issues. Moreover, there are relatively well-developed European regional initiatives undertaken in the framework of the CSCE Vienna Document and CFE Treaty. Elsewhere there are less well developed regional transparency initiatives under way. The Register instead has a narrow coverage limited to the transfer of seven categories of equipment and makes provision for background information on military holdings, procurement through national production and relevant policies.

Instruments of measurement should be as sensitive as possible to the needs of analysis. Clearly those interested in NATO burden-sharing, for example, would need a different data set from those interested in dual use technology transfer. The way in which the Register was constructed gives an indication about which security-related issues that particular data set is best suited to analyse.

There is widespread acceptance that the right to self-defence accorded to States under the United Nations Charter legitimizes the international arms trade. However, there are many different debates currently under way on various military, legal, economic and technological aspects of the arms trade. Several are noted in resolution 46/36 L.

The debates include:

1 What constitutes an excessive accumulation of offensive weapon systems?

2 Which technologies can most cheaply and effectively enhance the capability of existing weapons platforms?

3 How far should dual use technologies — that is, those with either a civil or a military application — be allowed to be traded as civil goods?

4 Can effective measures to prevent illicit arms transfers be developed and implemented?

5 What are the economic costs and benefits of the arms trade?

6 How is the changing organization of industrial production affecting the nature of the arms trade?

In conditions where Governments and researchers alike are trying to come to terms with the security environment that has emerged after the end of the cold war, it is natural that the value of a limited approach, such as that taken by the Register, should be questioned. However, it would be unreasonable and counter-productive to ask the Register to address all of those issues. The question is where the Register can make its greatest contribution in the light of a realistic assessment of what can be achieved both from a political and a technical point of view.

The limited range of items monitored in the Register partly reflects the lack of consensus on what is to be monitored outside the narrow categories which were agreed during its preparation. The judgement formed was that most Governments would be unwilling to collect and/or release information on a broad spectrum of items. It also reflects a judgement that even if there were no political objections, most Governments would be unable to collect detailed information about a wide range of items without increasing the human and financial resources devoted to the task. They would not see sufficient advantages in the Register to make that allocation.

The choice of categories and the judgement about the limits to Government participation in an expanded data collection suggest that for the foreseeable future the Register can best address itself to the debate about what constitutes an excessive and destabilizing accumulation of weapons. That is where the political will to generate data is greatest and the technical obstacles to data gathering are fewest. The Register should not aim to collect more information than is needed to allow a reasonably informed judgement to be reached on that issue.

The SIPRI trend indicator values

The utility of trying to "measure" trends and developments in the arms trade is often questioned, and the contribution which existing data collections can make to resolving analytical problems can be,and frequently is, overstated. The SIPRI philosophy is based on what has recently been labelled "symbolic analysis".[3] By translating real event data into symbols, it is possible to manipulate the data in ways which shed more light on the events themselves. The arms trade — composed of many events of which no single one can be regarded as representative of the overall trend — lends itself to that form of analysis.

Data series collected according to a consistent definition and methodology can be of value in helping to identify issues and developments which deserve detailed examination. Series of that type can also be of assistance in evaluating the relative importance and urgency of different analytical issues. If the data can be collected on a continuous basis, their utility increases as the time series grows longer. In other words, data collection is a supplement to and not a substitute for analysis.

To perform that analysis it is necessary to transform event data into symbolic data. SIPRI does that by creating an index of trend indicator values which can then be aggregated in a number of different ways. The SIPRI system for evaluating the arms trade was designed as a *trend-measuring device,* to permit the measurement of changes in the total flow of major weapons and its geographic pattern.

Expressing the index in monetary terms reflects both the quantity *and the quality* of the weapons transferred. Aggregate values and shares are based only on actual deliveries during the year or years covered in the relevant tables and figures. The SIPRI values are not actual prices of weapons that have been paid in a particular deal. The purpose of the valuation system is to enable the aggregation of data on physical arms transfers. Similar weapon systems require similar values. The core of the SIPRI index of trend indicator values is based on the average programme-unit cost of weapons for which cost data are available. The values for other weapons are estimated on the basis of technical comparisons (of weight, range, speed, year of first production) with weapons for which real costings are available.

The index produced using the SIPRI valuation system is not comparable to official economic statistics such as gross domestic product, public expenditure and export/import figures. The trend indicator values do not correspond to the actual prices paid, which vary considerably depending on different pricing methods, the length of production runs and the terms involved in individual transactions. For instance, a deal may or may not cover spare parts, training, support equipment, compensation, offset arrangements for the local industries in the buying country, and so on. Furthermore, to use only actual sales prices — even assuming that the information were available for all deals, which it is not — military aid and grants would be excluded, and the total flow of arms would therefore not be measured.

Production under licence is included in the arms trade statistics in such a way that it reflects the import share embodied in the weapon. In reality, that share is normally high in the beginning of a programme and gradually decreases over time. However, a single estimate of the import share for each weapon produced under licence is made by SIPRI, and therefore the value of arms produced under licence agreements may be overstated.

Once transformed into the form of an index, data on weapon deliveries can be presented in different ways. The case of Saudi Arabia is used below to illustrate two ways in which the trend indicator values can be presented.

Table 1: Percentage shares of deliveries of major conventional weapons to Saudi Arabia by supplier

Data are in percentage terms

	1988	1989	1990	1991	1992	1993	1988-1993
United States	16	7	49	54	77	82	41
United Kingdom	22	70	33	17	6	9	30
France	19	20	15	26	4	0	15
China	35	0	0	0	0	0	8
Others	7	2	3	2	12	9	5
Totals	100	100	100	100	100	100	100

Source: SIPRI arms trade data base

Looking at the data in Table 1, it is possible to see the replacement of Western European suppliers by the United

States in the Saudi Arabian market. Whereas Britain and France accounted for 90 per cent of deliveries of major conventional weapons to Saudi Arabia in 1989, by 1993 that figure was less than 10 per cent.

Figure 1 (next page) shows another way in which trend indicator values can highlight developments in Saudi Arabia.

In Figure 1 it is possible to see that, popular perceptions notwithstanding, the volume of deliveries of major conventional weapons to Saudi Arabia has not jumped in the period after the Iraqi invasion of Kuwait. Deliveries remain lower than they were during the late 1980s. A similar figure could be prepared from the SIPRI data base comparing the volume and patterns of Saudi imports with, for example, those of other major regional Powers such as Iraq and the Islamic Republic of Iran.

It is not being suggested here that those data carry the authority of scriptures, nor that they can tell us much about how or why events occur. The data simply assist in the broader process of understanding the dynamics of the arms trade.

Modifying the Register

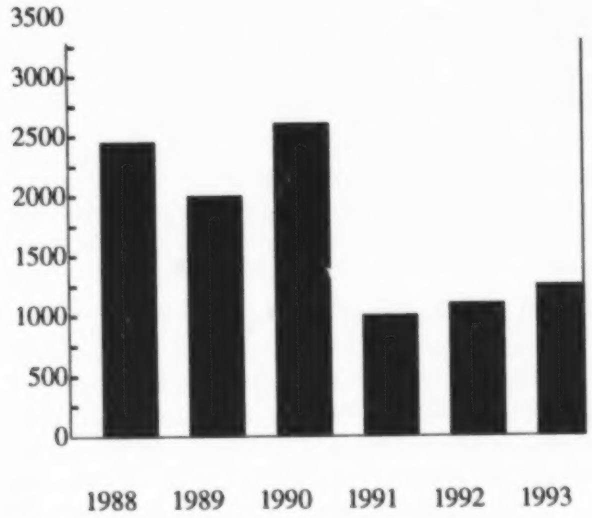
The decision to focus on transfers of equipment in relatively few categories remains valid, and there is no need for a wholesale revision of existing categories or the addition of new ones. However, there are several structural flaws in the Register as constructed at present which — while by no means fatal — reduce its effectiveness in meeting its objectives.

Those flaws reflect: (*a*) problems in the definition of the equipment categories; (*b*) the lack of a clear definition of an arms transfer; and (*c*) the high level of aggregation within each of the weapon categories. Each of those issues was contentious during the drawing up of the parameters of the Register, and in the end each was settled with a compromise.

The modifications made to category VII in the Register, "missiles and missile launchers" defined in resolution 46/36 L, have created particular problems and, in the light of the experience with the returns to the Register in 1992, that definition needs to be revised.

Figure 1: The trend in deliveries of major conventional weapons to Saudi Arabia, 1988-1993.

Data are SIPRI trend indicator values expressed in millions of (1990) US dollars.



Source: SIPRI arms trade data base

It would be useful to correct some of the minor flaws as quickly as possible, preferably during the first round of evaluation of the Register by the 1994 Group of Governmental Experts. The Register will become more useful as a time series is developed. Time series need to be consistent, and for that reason continuity in the definitions applied is highly desirable. In the worst case, a major change in the Register could invalidate the series, and arriving at a set of definitions which can survive for a long period should be a priority goal for the 1994 Group of Governmental Experts.

The definition of the weapon categories

A central problem in constructing a register is to isolate categories of items that could serve as reasonable indicators of military capability within the much larger pool of items bought by the military.

In addressing that problem, SIPRI and the UN came up with a similar approach of identifying broad categories of equipment.

Table 2. Definitions of equipment categories used by the UN and SIPRI

United Nations	
I. Battle tanks	Tracked or wheeled self-propelled armoured fighting vehicles with high cross-country mobility and a high level of self-protection, weighing at least 6.5 metric tonnes unladen weight, with a high muzzle velocity direct fire main gun of at least 75 millimetres calibre.
II. Armoured combat vehicles	Tracked, semi-tracked or wheeled self-propelled vehicles, with armoured protection and cross-country capability, either: (*a*) designed and equipped to transport a squad of four or more infantrymen, or (*b*) armed with an

	integral or organic weapons of at least 12.5 millimetres calibre or a missile launcher.
III. Large calibre artillery systems	Guns, howitzers, artillery pieces, combining the characteristics of a gun ora howitzer, mortars or multiple-launch rocket systems, capable of engaging surface targets by delivering primarily indirect fire, with a calibre of 100 millimetres and above.
IV. Combat aircraft	Fixed-wing or variable-geometry wing aircraft designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons, or other weapons of destruction, including versions of those aircraft which perform specialized electronic warfare, suppression of air defence or reconnaissance missions. The term "combat aircraft" does not include primary trainer aircraft unless designed, equipped or modified as described above.
V. Attack helicopters	Rotary-wing aircraft designed, equipped or modified to engage targets by employing guided or unguided anti-armour, air-to-surface, air-to subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for those weapons, including versions of those aircraft which perform specialized reconnaissance or electronic warfare missions.

VI.	Warships	Vessels or submarines armed and equipped for military use with a standard displacement of 750 metric tonnes or above, and those with a standard displacement of less than 750 metric tonnes, equipped for launching missiles with a range of at least 25 kilometres or torpedoes with similar range.
VII.	Missiles and missile launchers	Guided or unguided rockets, ballistic or cruise missiles capable of delivering a warhead or weapon of destruction to a range of at least 25 kilometres, and means designed or modified specifically for launching such missiles or rockets, if not covered by categories I through VI. For the purpose of the Register, this category: (*a*) Also includes remotely-piloted vehicles with the characteristics for missiles as defined above; (*b*) Does not include ground-to-air missiles.

SIPRI

I.	Aircraft	All aircraft destined for the armed forces, paramilitary forces or intelligence agencies of another country except: aerobatic aeroplanes, micro-light aircraft and gliders. VIP transport aircraft are included only if they bear military insignia or are otherwise confirmed as military registered.

II. Armoured Vehicles	All types of tanks, tank destroyers, armoured cars, armoured personnel carriers, armoured support vehicles and infantry combat vehicles. Military lorries, jeeps and other soft-skinned vehicles are not included.
III. Artillery	Multiple rocket launchers, self-propelled and towed guns and howitzers with a calibre equal to or above 100 millimetres.
IV. Missiles	All guided missiles are included. Unguided artillery rockets and man-portable anti-armour rockets are excluded. Free-fall aerial munitions (such as "iron bombs") are also excluded. In the naval sphere, anti-submarine rockets and torpedoes are excluded.
V. Guidance and Radar	Electronic-tracking, target-acquisition, fire-control, launch and guidance systems; ship-borne missile-launch or point-defence systems. The values of acquisition, fire-control, launch and guidance systems on aircraft and armoured vehicles are included in the value of the respective platform. The reason for treating shipborne systems separately is that a given type of ship is often equipped with numerous combinations of different surveillance, acquisition, launch and guidance systems.

In spite of their names, therefore, neither the UN nor SIPRI includes arms in its coverage. Arms or armaments can

VI. Ships	All ships destined for the armed forces, paramilitary forces or intelligence agencies of another country except patrol craft with a displacement of less than 100 tonnes unless they carry cannon with a calibre equal to or above 100 millimetres, missiles or torpedoes; research vessels; tugs and ice-breakers.

be reasonably and clearly defined as munitions, that is, explosives and ordnance. The definition could be extended to include the systems that deliver those arms. In both cases, that narrow definition is linked to unambiguously lethal equipment, i.e., weapons of war.

The UN and SIPRI exclude most types of "arms" from their coverage and focus mainly on the platforms which carry weapons. The inclusion of various kinds of ordnance was considered by the 1992 Panel of Governmental Technical Experts. Most of the systems discussed were omitted, but one was chosen for inclusion.

The UN and SIPRI both monitor transfers of missiles which combine some of the characteristics of weapon platforms with those of delivery systems and munitions in the same piece of equipment. SIPRI includes all guided missiles in its classification of major conventional weapons regardless of range, whereas the UN definition is based on range only because of a modification made to the definition of category VII contained in resolution 46/36 L. The original resolution refers to a "guided rocket, ballistic or cruise missile capable of delivering a payload to a range of at least 25 kilometres".

As indicated in Table 2 above, that definition was modified during the preparation of the 1992 report and

As indicated in Table 2 above, that definition was modified during the preparation of the 1992 report and category VII, "Missiles and missile launchers", came to include both guided and unguided rockets.

The modified UN definition created some peculiar distortions during the first year of reporting. For example, the UN definition brings in artillery rockets such as the Brazilian SS-30 and SS-40 reported as exported to Saudi Arabia. Rockets of that kind are essentially artillery shells, with the propellant attached to the warhead rather than separated. The SS-30 has a smaller explosive charge than a 155 millimetre calibre artillery round. As the calibre of the artillery round increases, for example to 210 millimetres, the distinction between artillery ammunition and unguided rockets grows more and more tenuous. Through participation in the Register, a country which chose to build its armed forces around rocket artillery would find its ordnance stockpiles revealed. A country which preferred tube artillery would enumerate its artillery pieces but not its ordnance stocks, as imports of artillery ammunition are not requested.

Logically, if the Register is to include ordnance of the SS-30 type, it should be extended to all kinds of ordnance with similar characteristics. Alternatively, the missile category could be deleted from the Register. As the missile category was one of the more contentious issues in designing the Register, deleting it might clear the way for the further disaggregation of items reported within the remaining six weapon categories (discussed further below).

Another alternative would be to return to the definition of missiles used in resolution 46/36 L which would improve the comparability between systems reported. If that was not possible, then the words "or unguided" could be deleted from the definition worked out by the Panel of Governmental Experts in 1992.

That would make guidance systems an element in determining whether or not a system should be reported, and there are good reasons to do that.

In time, the ability to miniaturize electronic components and engineering products — such as flight-control systems — will lead to the deployment of more and more "smart" artillery shells.[4] Rocket artillery is already being used to deliver smart submunitions. For example, the MLRS 227 millimetre rocket developed by a consortium of NATO countries originally carried a conventional high-explosive warhead. However, the submunitions that have been developed for the rocket are changing fundamentally the character of the weapon.

Apart from missiles, another equipment category which was modified by the 1992 report was "Attack helicopters". The original definition specified helicopters equipped with "anti-armour, air-to-ground or air-to-air guided weapons". In the subsequent report, that was amended to read "guided or unguided anti-armour, air-to-surface, *air-to-subsurface,* or air-to-air weapons" (emphasis added). Some countries used the definition in resolution 46/36 L as the basis for their report and omitted helicopters configured for anti-submarine warfare, for example, the delivery of SH-60 helicopters to Spain by the United States was not reported by either country.[5]

The focus on the platforms which carry arms and delivery systems to a designated target is partly expedient — transfers of platforms are much easier to monitor — but also substantive. In modern usage that narrow definition of arms is rare, since an effective military force is dependent not only on lethal equipment but also on combat support equipment of various kinds. The introduction of mechanization to the battlefield and subsequent technology changes have altered the shape of the battlefield. The development of new platforms has the made the battlefield wider and deeper and extended it to include the airspace and the seaspace above and below it. That has been a continuous incremental process.[6]

In acknowledgment of the growing importance of target acquisition and fire control, the SIPRI data base incorporates guidance and radar systems. Those systems are not a proxy for launchers but represent the lowest mix of systems deployable as a single unit. For example, for some surface-to-air missile systems a "guidance and radar system" could include a mix of several radars, command vehicles and the data links between them.

In future, even that wider focus on platforms plus target acquisition systems may be overtaken by new developments. Battlefield success increasingly depends not only on technology incorporated in any given system but on combining several or many different systems to address a single problem. In Russia, the term "reconnaissance-strike complex" has been coined to describe the integrated "system of systems" considered to be at the heart of modern advanced military forces. An increasing amount of cost and time is being used to make different systems work together effectively, and it may soon be essential to monitor, at a minimum, transfers of strategic command, control and communications networks in order to grasp the military potential of any given force.[7]

The definition of an arms transfer

Another widely recognized problem with the Register is the lack of a clear definition of when an arms transfer takes place.

The decision to focus on deliveries of items in the UN reporting procedure is a significant distinction between the approaches taken by the Register and SIPRI. SIPRI records all deals made or ongoing in a given calendar year (though SIPRI trend indicator values are derived only from delivered systems). In its *Yearbook*, SIPRI reports information on all orders, whether or not deliveries have taken place during the reported year. In the SIPRI register, the usefulness of information about future deliveries is considered to outweigh the relatively low level of confidence that surrounds many of the figures on future transfers. Many of the transfer agreements which are reported in open sources are not firm contracts but framework agreements, which are often modified significantly before they are implemented.

As an illustration of the different approaches, Table 3 compares the information presented for Saudi Arabia in the return to the Register for 1992 with the information published by SIPRI.

There seems little prospect that the Register will move to advance notification, and it seems likely the UN and SIPRI approaches will remain distinct in that regard.

Coverage in the Register was confined to deliveries of complete systems, though some countries chose to report kits for assembly by the recipient country. The SIPRI register also includes weapons produced under licence by the recipient country. The volume of licensed production of weapons falling within the Register definitions can be quite substantial, and for some countries — India and Japan, for example — the purchase of production licences is more important than direct imports.

For SIPRI, the utility of introducing that information is considered to outweigh the definitional problems that undoubtedly attend it.

Table 3. Arms transfers to Saudi Arabia: a comparison of recent UN and SIPRI data

I. Returns to the UN Register of Conventional Arms for Saudi Arabia in 1992

Exporter	*UN Category*	*No. of items*	*Description/comments*
Brazil	Missiles and missile launchers	50 328	SS30, SS40, SS60 rockets for ASTROS II
Canada	Armoured combat vehicles	262	Wheeled APC
France	Large-calibre artillery systems	175	-
France	Missiles and missile launchers	6	-
UK	Armoured combat vehicles	29	-
UK	Missiles and missile launchers	48	-
USA	Armoured combat vehicles	192	-
USA	Combat aircraft	10	-

II. Data published by SIPRI on major weapons on order or under delivery to Saudi Arabia in 1992

Supplier	*No. ordered*	*Weapon designation*	*Weapon description*	*Year of order*	*Year(s) of deliveries*	*No. delivered*	*Comments*
Brazil		Astros II	MRL	1987	1987-92	(76)	Deal worth $500 m incl ammunition
Canada	1117	LAV-25	APC	1990	1992-93	(512)	Deal worth $700 m; 384 LAV-25, 733 other versions
France	700	Mistral	Portable SAM	1989	1991-92	(700)	
UK	12	BAe-125-800	Transport	1988	1988-92	(12)	For VIP use
	20	Hawk-100	Fighter	1993			
	40	Hawk-200	Fighter	1993			
	48	Tornado IDS	Fighter/ bomber	1993			
	88	WS-70 Black-hawk	Helicopter	1993			

UK cont'd.	461	Piranha	APC	1990	1992-93	(89)	Deal worth $400 m
	200	ALARM	ARM	1986	1991-93	(180)	For Tornado IDS
	(480)	Sea Eagle	Anti-ship missile	1985			For Tornado IDS
	3	Sandown Class	MCM	1988	1991-93	2	Option on 3 more
USA	12	AH-64 Apache	Helicopter	1990	1993	12	Deal worth $300 m
	17	C-130H Hercules	Transport	1990	1991-92	(10)	
	12	F-15C Eagle	Fighter	1990	1991-92	12	Incl 3 D version
	72	F-15S Eagle	Fighter	1992			Deal worth $9 b incl 24 spare engines and 48 navigation pods
	7	KC-130H	Tanker/ transport	1990			
	8	UH-60 Blackhawk	Helicopter	1990	1991-92	8	Medevac version; deal worth $121 m

Supplier	No. ordered	Weapon designation	Weapon description	Year of order	Year(s) of deliveries	No. delivered	Comments
USA cont'd.	8	UH-60 Blackhawk	Helicopter	1992			Medevac version; deal worth $225 m
	27	M-198 155mm	Towed gun	1990	1991-92	(27)	
	315	M-1A2 Abrams	Main battle tank	1990	1993	(100)	Deal worth $1.5 b
	150	M-1A2 Abrams	Main battle tank	1990			
	207	M-113A2	APC	1990	1991-92	(207)	Part of deal worth $3.1 b
	400	M-2 Bradley	AIFV	1990	1992-93	(202)	In addition to 220 ordered previously
	12	M-88A1	ARV	1990	1992	(12)	Deal worth $26 m
	(6)	AN/TPS-43	Surveillance radar	1985	1987-92	(6)	

USA cont'd.	8	Patriot SAMS	SAM system	1990	1993	(4)	Deal worth $984 m incl 384 missiles, 6 radars and support
	13	Patriot SAMS	SAM system	1992			Deal worth $1 b incl 761 missiles
	362	AGM-114A	ASM	1993	1993	(150)	For AH-64A helicopters; deal worth $606 m incl 3500 rockets, 40 trucks, 1 simulator
	900	AGM-65D	ASM	1992			For 48 F-15 fighters
	770	AIM-7M Sparrow	Air-to-air missile	1991	1992-93	(500)	Deal worth $365 m incl laser guided bombs
	300	AIM-7M Sparrow	Air-to-air missile	1992			For 72 F-15 fighters
	300	AIM-9S	Air-to-air missile	1992			For 72 F-15 fighters

Supplier	*No. ordered*	*Weapon designation*	*Weapon description*	*Year of order*	*Year(s) of deliveries*	*No. delivered*	*Comments*
USA cont'd.	4460	BGM-71D TOW-2	Anti-tank missile	1988	1989-93	(2500)	
	2000	BGM-71D TOW-2	Anti-tank missile	1990			Deal worth $55 m incl 116 launchers
	384	MIM-104 PAC-2	SAM	1990	1993	(192)	
	761	MIM-104 PAC-2	SAM	1992			

According to the United Nations 1992 report, international arms transfers involve, in addition to the physical movement of equipment into or from national territory, the transfer of title to and control over the equipment. However, no definition of "title to" or "control over" equipment was provided, leading to some differences in interpretation. For SIPRI purposes, physical control over an item is sufficient to constitute a transfer. For example, the lease of a warship to Greece by the United States Navy constitutes a transfer. However, the Governments of the United States (which did not report such transfers) and Greece (which did) took different positions from one another on that.

Under both the UN and SIPRI definitions, an international arms transfer may also occur without the movement of equipment across State frontiers if one State grants another title and control over equipment. Thus a transfer of arms to a State occurs when its forces stationed abroad are granted title and control of equipment by the host country or when title and control of such equipment are transferred to the host country.

In 1992, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan and Uzbekistan all emerged as independent States. Russia reported the transfer of 30 unspecified armoured vehicles to Uzbekistan. However, should Russia also have declared all equipment from the former Soviet armed forces turned over to those newly independent States as transfers?[8]

One of the main gains anticipated from the Register was that it would clarify the scale and timing of transfers whose broad outline was already known from public sources. One of the perennial problems for the SIPRI register is determining in which year the deliveries of any given system took place and at what intensity.

The Register did go a considerable way towards providing that information. Moreover, it confirmed some deals which had been reported but at a level considered inadequate for inclusion in the SIPRI register, such as the Italian export of 155 millimetre guns to Nigeria. The Register also generated some completely new information, especially relating to various land systems. Interesting and previously unreported transfers were reported by Belarus, Bulgaria, China, France and Romania, for example.

Levels of aggregation

The usefulness of the Register as a source of information was degraded by the high level of aggregation within each of the seven categories and the lack of differentiation between the systems transferred.

In its publications, SIPRI differentiates between individual deals made for the same category or type of weapon system to be delivered to one country, while the Register requires that Governments state only the total number of items of one category supplied to one country. For example, SIPRI reports the export of M-113-A2 and M-2 Bradley armoured combat vehicles (ACVs) from the United States to Saudi Arabia as two separate entries, while the United States return to the Register gives only one entry stating that 192 unspecified ACVs have been delivered.

That problem was particularly difficult for those cases where the Register added new information to the public domain. For example, according to *The Military Balance 1993-94* produced by the International Institute for Strategic Studies (IISS), the armed forces of Belarus inherited a variety of different main battle tanks — a mix of T-54, T-55, T-62, T-64, T-72 and T-80. According to its return to the Register, Belarus transferred 19 tanks to the Democratic People's Republic of Korea and 9 to Oman in 1992. However, there is no way of knowing which of those types were transferred.

Similarly, Romania reported transfers of 18 122 mm calibre howitzers to Moldova. However, those could have been either self-propelled 122 mm howitzers (of which Romania has two types available, the 2S1 and the Model 89), or towed 122 millimetre howitzers (of which Romania has two types available, the M-30 and the A-19).

Conclusions

After the first year of reporting, the Register has proved that it is a useful transfer register. However, the Group of Governmental Experts meeting this year should consider some modifications of the existing structure before it considers expanding or further developing the Register. It should introduce clarifications in the definitions of equipment categories and the definition of arms transfers. In addition, it should decide to recommend that the information presented be disaggregated beyond the current level.

The introduction of two sets of definitions of equipment categories—one in resolution 46/36 L and one in the 1992 report—may well have added to the confusion in the first year of reporting. Therefore, it is not advisable to have frequent changes in the parameters of the Register. Where any changes are made, they should be very widely distributed and publicized to ensure that every Government is working with the same set of definitions.

Some of the modifications to the equipment categories introduced after the passage of resolution 46/36 L have proved unhelpful and should be reversed. In particular, the revised definition of missiles introduced an unnecessary distortion which made the value of information reported under current category VII questionable at best. That category should be revised or deleted.

Deletion of the missile category would leave the Register as a register of conventional weapon platforms and remove ordnance from its terms of reference. That would underline the political nature of the exercise being undertaken by the UN through the creation of the Register and allay any suspicions that the Register was contributing useful military intelligence to any Power. It might also reduce Government reluctance to disaggregate information within the remaining six categories of platforms.

Disaggregation of platforms should be by platform name and not by generic type or by roles and missions. Although there is no standard international glossary of platform names, there are sufficient high-quality reference works available to make that a useful and relatively simple procedure.

The Group of Governmental Experts have considered whether the focus on platforms alone is sufficient to permit a judgement on whether or not an excessive and destabilizing accumulation of weapons is under way in any given location. While undoubtedly a complex undertaking, it would be useful to examine the possibility of taking a systems approach instead of counting transfers of individual items. In such an approach, it would be important to track whether countries are acquiring assets which have relatively high-visibility in the open sources currently available (and are therefore possible to monitor) and contribute to the development of a reconnaissance-strike complex. Those could include telecommunications systems, space-based sensors and the ground stations to process data acquired from them. Trying to identify the elements of such a complex is a direction in which SIPRI reporting is increasingly likely to move. However, arriving at agreement on such an approach is probably beyond the 1994 Group at this stage, and introducing the idea formally may well be counter-productive.

Notes

1 While individual examples are taken where needed to illustrate a point, there is no general evaluation of the first year of returns to the Register, as that is dealt with elsewhere in this issue. A detailed evaluation of the data from the *SIPRI Yearbook 1993* with the first year of returns to the Register is contained in Edward J. Laurance, Siemon T. Wezeman and Herbert Wulf, H., *Arms Watch: SIPRI Report on the First Year of the United Nations Register of Conventional Arms,* (Oxford, Oxford University Press, 1993).

2 See A/47/342, para. 7.

3 The phrase was invented by Robert Reich, now Secretary of Labor in the Clinton Administration, while he was working at the Massachussetts Institute of Technology.

4 Such shells have already been developed by some countries, e. g., the United States M-712 Copperhead 155 millimetre calibre artillery shell. The barrier to widespread deployment of such munitions is partly technological but partly cost. In 1989 a single Copperhead round cost $35,000, whereas a normal high-explosive 155 millimetre shell cost around $1,000 that same year.

5 *Jane's All the World's Aircraft 1993-94,* (Coulsdon, Jane's Information Group,1993), p. 565.

6 A. J. Echevaria and J. M. Shaw, "The new military revolution: post-industrial change", *Parameters,* vol. 22, No. 4, Winter 1992-93.

7 Recent discussions in the United States about the possible transfer of satellites capable of military application or sharing of satellite and other intelligence assets points in that direction.

8 For the purposes of the UN that is something of a pity, as in some cases a large amount of major equipment has passed into the sovereign control of new political actors. Taking a more literal interpretation of the definition of an arms transfer, Governments could have made public extremely useful data.

Regionalization of the Register: Region-specific Complements to a Global Initiative

Joseph DiChiaro III

Throughout the development and into the implementation phase of the United Nations Register of Conventional Arms, the call has often been made for the development and application of regional variations of the Register in order to make the aims and goals of the UN system more manageable and salient to the States submitting information, and to encourage more substantive participation by all parties. It has also been argued by some that the expansion of the Register into further categories of armaments, national holdings and procurement through national production may

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require a region-by-region approach rather than an attempt to reach universal consensus.

However, the substantial gains made by the initial establishment and operation of the Register as a global political instrument should not be disregarded in fashioning more regionally specific measures. Rather, any such approach should serve to complement gradual progress towards establishing global standards by addressing particularly local security needs not in competition, but in conjunction, with the Register. Just how feasible and desirable such a regional approach would be in the area of transparency in arms transfers and procurement through national production is the focus of this paper.

Regional participation

In the Register's first year of operation, 83 States participated in the process, either by submitting data or a nil report, or by providing an explanatory letter outlining why data could not be provided. By 1 June 1994, four more States had submitted returns. Included among the countries which participated were (in order of size of past weapons exports): the United States, Russia, Germany, China, France, the United Kingdom, Czechoslovakia, Italy, the Netherlands, Sweden, Brazil, Poland, Canada and Greece. Among the major exporters, only the Democratic People's Republic of Korea and South Africa failed to submit data.[2] According to information published by the Stockholm International Peace Research Institute (SIPRI) on past exports, the exporters which submitted data have traditionally accounted for more than 98 per cent of the trade in major conventional weapons.[3]

Participation by regions varied. As shown in Table 1 on the next page, Africa, Latin America and the Middle East had relatively low participation rates when compared to other regions and to overall UN participation (45 per cent).

As will be discussed below, the fact that the submissions from Latin America included the major importers and exporters from that region mitigated the effect of the low participation rate. The absence of key African and Middle Eastern States should not be overlooked, however.

The reasons for regional variations are many. For regions such as Western Europe and North America, accustomed to participation in similar transparency exercises and with well-established national bureaucracies equipped to generate the requested data, participation posed no major problem. For a region such as sub-Saharan Africa, with a comparatively low level of militarization (at least in the seven categories of equipment covered by the Register), there is little if any need for such data-generation capacity. In Latin America and some parts of Asia, the state of civil–military relations is sure to affect a country's willingness or ability to provide data to the UN. The mere act of publicly providing such data may go against the norm, if not against the law, in countries where the military has used its expertise to guarantee itself a political role in the country.[4] Additionally, in the newly independent States of the former Soviet Union, national export control systems and monitoring bureaucracies are still in varying stages of development and will need additional time before full compliance and participation can be reasonably expected.

Table 1: Participation by region

Region	*Responses*	*UN members in region*	*Percentage responding*
Africa	10	53	19%
Asia & Oceania	18	31	58%
CIS & Eastern European	15	27	56%
Latin America	11	32	34%
Middle East	5	14	36%
North America	3	3	100%
Western Europe*	21	25	84%

*Includes European NATO and neutral countries

Unfortunately, another factor explaining variations in participation is indifference. Many States simply did not view the Register as a relevant process or argued that the seven categories failed to account adequately for the specific security threat to their region. That may be the case especially in Africa and Latin America, where few major weapons have been transferred, though small-arms supplies continue to play an important role in ongoing conflicts. In the Middle East, where the peace process has entered a critical stage, participation in the Register may be deemed imprudent until more certainty and stability emerge in the region. Lastly, while it may be argued that the Register is merely a political exercise, increased participation in several regions may be dependent upon evidence of tangible security benefits to be accrued through cooperation with the international community.

Universalism vs. regionalism: an argument for both

Arguments for universalism or regionalism as an approach to global governance and problem-solving are equally valid in their own right.[5] For adherents of universalism (as embodied in the United Nations), the concept offers a more appropriate means for dealing with global issues such as the preservation of peace, breaches of which can threaten to engulf all States. Universalism also encourages consensus among States based on universal principles and helps to reduce divisiveness between regional groups. Furthermore, by recognizing certain problems as common to all States, it seeks to avoid duplication of effort and to make the most effective use of available resources.

Proponents of regionalism point to a more realistic correlation between capacities and objectives through local action. Perhaps more important, regionalism involves fewer States and offers a greater propensity for consensus because of common traditions, similar political, economic and social systems, and the regional nature of the problems to be solved. Regionalism can also be viewed as a necessary precursor to effective global cooperation because it lays the groundwork for a broader consensus.

Yet, in the case of an arms register capable of monitoring and addressing excessive and destabilizing accumulations of conventional weapons, a strong argument can be made for the intrinsic merit of applying both concepts simultaneously, that is, regionalism as a complement to universalism. The trade in major conventional weapons is in many ways a global issue and is becoming more so due to the evolving nature of conflict and the increasing globalization of the arms industry. The most effective way to address its adverse effects is through the building of consensus on certain basic principles which define the scope of the problem and, one hopes, point to a solution. Yet such broad consensus can, at best, hope to address the most glaring abuses, while failing to account for the particular needs of each individual regional or subregional actor. It is here where smaller, more homogeneous regional groupings attuned to local conditions can address the more pressing security concerns which may be exclusive to the region, while *still supporting global objectives.* Regional and subregional groups could also enhance the universal Register by acting, in effect, as a test-bed for innovative approaches or inclusion of additional reporting data and thus become the vanguard of a more gradual and deliberate universal process.

The complementary relationship of regionalism to universalism was most explicitly defined in the *Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms,* which noted that:

> "In addition to the universal system, complementary regional or subregional systems might be established and such systems might be tailored specifically to the particular needs of the region or subregion, for instance, by incorporating additional information. The universal system could set minimum standards and guidelines to ensure homogeneity of data, and its existence and development could also ensure universality and non-discrimination".[6]

That recommendation has been echoed, though in broader tones, in each of the UN's disarmament bodies.

A mandate for cooperative action?

In order to approach the question of regional cooperation in the maintenance of both regional and global peace and security, a review of the call for regional initiatives may be necessary. The appeal for collaboration between the United Nations and regional or subregional bodies in the maintenance of international peace and security has been based on two main points. First, it is argued that local actors are perhaps better equipped to observe and monitor events in their own region and that they may in turn be more attuned to the means of conflict resolution most applicable under local conditions. Second, given the enormous resource constraints of the United Nations, it is argued that other bodies may need to share the financial and personnel burden of effective security management.

The Secretary-General laid the groundwork for a new, post-cold war complementary relationship between the Security Council and regional organizations in his June 1992 *Agenda for Peace*. In that report, he devoted an entire section to "Cooperation with regional arrangements and organizations", in which he underlined the potential for regional bodies to act in concert with the United Nations. He tactfully, although understandably, avoided the difficult questions concerning the nature of the proposed relationship and the ensuing division of labour.[7] That report was followed in October 1992 by *New Dimensions of Arms Regulation and Disarmament in the Post-Cold War Era*, which explicitly encouraged regional approaches. In it the Secretary-General noted that "regional and subregional organizations can further the globalization of disarmament, both in cooperation with each other and with the United Nations".[8] While conventional arms races were designated as an area deserving attention, once again little detail was supplied. Finally, in a potentially significant departure from those broad calls for regional action, the Secretary-General, in an address to the Advisory Board on Disarmament Matters in January 1994, stated that

> "Regional registers of conventional arms should now be the next step. They have the advantage of allowing the categories of weapons to be registered to reflect the security concerns felt in the region".[9]

Within the General Assembly, the call for regional initiatives and cooperation with the United Nations in the field of confidence-building and disarmament has been no less ambitious. Resolution 46/36 H of 6 December 1991 requested that the Secretary-General "assist ... in holding meetings and seminars at the national, *regional* and international levels, as pertinent, with a view to ... promoting the concept of transparency as a confidence-building measure" (author's emphasis).[10] Furthermore, in a resolution entitled "Regional disarmament" the General Assembly declared its support for and encouraged efforts aimed at promoting confidence-building measures at regional and subregional levels.[11] Finally, in the resolution establishing the Register of Conventional Arms, 46/36 L of 9 December 1991, the General Assembly called upon "all Member States to cooperate at a regional and subregional level, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments".[12] That specific provision was subsequently reiterated in the resolution of the General Assembly at its forty-eighth session dealing with transparency in armaments.[13]

The Disarmament Commission, the United Nations disarmament machinery's deliberative body, has also seriously broached the issue of regional action. During its 1993 substantive session, the Commission elaborated "Guidelines and recommendations for regional approaches to disarmament within the context of global security",[14] which the General Assembly later endorsed in its resolution 48/75 G. While those guidelines are a good start in terms of the formulation of ideas, the burden of initiative still appears to lie firmly on the shoulders of regional actors. However, should a strong regional proposal receive United Nations support and technical assistance, it could help to define the possibilities and limits of such a cooperative approach, and thus serve as a model for emulation and adoption elsewhere.

Had regional entities or even individual Member States responded to this call to action with creative and locally specific initiatives for effecting regional stability, the foregoing would be irrelevant. Yet, while a few, like the Secretary-General, have called for region-specific arms registers, none has elaborated what this would actually mean to the region in question. Nor is it certain that supporters and detractors of this concept are working from the same definition.

The regional approach

Despite those general calls for action, however, little work has been done to elaborate what a regional approach to the Register might mean in practice. There is concern that the current mechanism takes account of neither the peculiarities of individual regions nor the weapons systems which are cause for concern in one region and not in another. In the efforts to achieve a global consensus, the terms of reference simply become too broad to be relevant in some areas. Furthermore, an attempt to achieve an overly sophisticated mechanism on a global scale may complicate the reporting process unduly, alienating a majority of States, and lead to a decreased willingness or ability to respond. If the Register is to develop much further while simultaneously enhancing its relevance to States' concerns, there may be a case for the development of regional complements to the global reporting system.

The proponents of a regional approach to conventional arms restraint are a diverse group. Included among its most ardent supporters are countries from regions with widely different concerns, such as Pakistan, Argentina, and Malaysia. The common thread running through the comments of those in favour of a regional approach is that the universal approach embodied in the Register fails to consider the history or particular security needs of States in individual regions. By contrast, a regional approach could be tailored effectively to suit the peculiarities of a region and enhance its stability.

Some fairly difficult questions arise regarding the elaboration of such an instrument. Would such a register supplement or supplant the current one? Would such an approach contribute to or detract from the future expansion of the universal Register? What would compel States to become more transparent in a regional context than they would be on the global level?

The multitude of statements in support of the Register which have emerged from the First Committee, the Disarmament Commission, and the Conference on Disarmament[15] seem to indicate that any development on a regional level would serve to complement rather than to replace it. States have invested far too much political capital in building universal consensus with regard to the need to restrain certain types of weapons sales to regions of instability to allow, in turn, for those regions to determine their own standards for transparency in weapons acquisition (which may be watered down to the point of irrelevance). Furthermore, some in the developing world consider the Register too valuable an instrument for pointing to the source of the weaponry causing difficulties within their region to allow for its dissolution.

As such, fashioning a regional variant could be a delicate process of determining what is universally applicable and what may be unique to a particular region. In terms of defining the legitimate security needs of individual States and what, in fact, constitutes excessive and destabilizing accumulations, the regional level may, in some cases, provide a greater degree of consensus when neighbouring States are relatively homogeneous in nature. In those cases, the creation of a regional mechanism may allow for a higher level of transparency between regional participants than would be possible through a global mechanism. However, given the suspicion and mistrust which proximity often engenders, in some other regions that approach may prove more divisive than useful. In those cases, States may be less likely to share information with less than amicable neighbouring States than they are to provide data to a universal and non-discriminatory global Register.

A principle which could be useful in the further development of this approach is "subsidiarity". Much maligned within the European Community, which is in very large part responsible for the term's existence, subsidiarity refers to the idea that the Community should undertake and assume only those tasks and responsibilities that could be better carried out in common than by member States acting separately. Yet, depending on which side of the subsidiarity fence one sits, the principle takes on a different meaning. For Euro-federalists, such as Jacques Delors, subsidiarity would enable the Community's organs to focus on key issues, leaving the more mundane issues to the competence of member States. Some member States, however, see subsidiarity as a means of guarding against Community intrusion into traditionally national issues.

Applying that principle to the further development of the Register to account for regional variations would mean that those elements of security unique to a particular region could be left to the competence of that group of States, while the international community would be entrusted with the establishment of more generally applicable standards and norms in countering the negative effects of arms transfers and procurement. In the case of the arms trade, as with the Community, however, it is how these responsibilities will be divided which may prove problematic.

Modalities of a regional approach

The components of a regional approach to transparency in armaments, developed as a complement to the Register, could include some or all of the following:

—The development of a regional approach designed to induce compliance among States cannot be viewed by prospective participants as imposed, from either the "West", the "North", or even from a dominant Power within the region. Any such perception is likely to hamper participation and negate its usefulness. Any regional complement will have to originate from within the region and be the result of negotiation and compromise;

—If it is agreed that there are weapons systems and technologies that are specifically destabilizing when accumulated excessively within a particular region, in addition to those already included in the United Nations Register, those could be identified and included as items to be reported. That might include a decision to expand beyond conventional weapons into weapons of mass destruction (thus complementing and strengthening the monitoring provisions of the biological weapons Convention, the chemical weapons Convention and the non-proliferation Treaty). It may also entail expansion in the direction of smaller arms and support systems not covered in the global Register (for example AWACS aircraft, mortars of less than 100 mm calibre, armoured bridges). By recognizing the peculiarities of individual regions, an additional layer of transparency could be added;

—Even with particular destabilizing systems properly identified (recognizably no small task), a decision must be reached on the types of transfers to be reported. A major issue will be the determination of whether only interregional trade and imports into the region should be addressed, while exports to parties outside the region of systems not covered by the Register should be excluded;

—If holdings and procurement through national production are not subsequently added to the Register (unlikely at this stage), or are included only on a partial basis, then they should be addressed on a regional level. For without the inclusion of national procurement, either on a global or regional basis, reporting of imports and exports may be biased against countries primarily reliant on imports.[16] Also, without a baseline from which to judge, the Register's utility as an early warning instrument may be negligible;

—The timeliness of submissions should also be addressed. Certain regions may desire more timely notification of transfers as a means of building trust and instilling confidence. In that case, they may opt for a real-time reporting system or even prior notification of weapon acquisitions or transfers;

—A particularly sensitive issue which may only find resolution on the regional level is that of inclusion of a verification and/or conflict resolution mechanism to ensure the accuracy of the data submitted and to resolve any disputed figures or allegations of destabilizing build-ups. A promising approach could be to build into the current UN database system such a regional mechanism;

—States may be willing to participate in such regional mechanisms if they believe that they have been tailored to the specific needs of their region. Through the use of mechanisms resulting from negotiation and compromise among the members of the regional group, claims of inherent discrimination, such as those criticisms leveled at the NPT or the MTCR, could be avoided. If States not only have an important stake in ensuring the success of the endeavour, but have also invested much time and effort in shaping such an exercise to fit their needs, participation in regional approaches could play a useful complementary role to the global Register;

—In developing a complementary and parallel regional variation, States may wish to restrict submissions of especially sensitive additional material, such as pre-notification of transfers, to only regional Government-to-Government distribution. Although that would run counter to the idea of openness in armaments, it could be crucial for regional consensus.

Strengthening regional organizations

Possibly the greatest obstacle to enhanced security through regional confidence-building measures is the weakness of the regional organizations currently in existence. Without delving into the myriad reasons why regional organizations outside of Europe have failed to establish strong responsibilities in the field of regional security, one need merely observe the weakness or lack of security functions within the Organization of African Unity (OAU), the Organization of American States (OAS), and the Association of South-East Asian Nations (ASEAN). Yet it is early in the post-cold war era, and those organizations may still (in fact, they are already looking to) take on increasing responsibility in the maintenance of peace and security within their own spheres.

In a recent article, Jon Lunn proposes the creation of Regional Security Commissions (RSCs) as a means of creating a formal link between the United Nations Security Council and regional organizations.[17] Such bodies would be tasked with coordinating the activities of the two groups and working out a division of powers. If created as proposed, those bodies would be good locales for the establishment and maintenance of a regional arms register, and could collect data from the region and prepare it for submission to the United Nations. On the other hand, such an arrangement could create a redundant layer of paperwork and bureaucracy. With or without such RSCs, the regional organizations themselves must be strengthened significantly in order to manage effectively the host of new responsibilities being suggested. One way to do that is to have them take on increasingly important tasks which, if skilfully handled, could enhance their effectiveness and increase the likelihood that member States of the region would delegate further tasks to them.

Possibilities: Latin America and South-East Asia[18]

Finally, a brief overview of the prospects for implementation of a regional variant of the Register system may be useful in fashioning a workable approach. Two States have been particularly vocal in support of such an approach to be developed within the framework of existing organizations: Argentina, for application within the OAS; and Malaysia, within ASEAN. The differing circumstances in which regions and regional organizations currently find themselves as regards trends in military expenditure, weapons procurement, past history of arms control initiatives, and Register participation serve to highlight the need for differing approaches and may be an indication of potential success.

Differing trends in military expenditure between the two regions point, on the one hand, to the potential for success in Latin America, and, on the other, to a growing need for such a mechanism in South-East Asia as a means of promoting restraint in arms transfers. The end of the cold war and the conclusion of the Gulf conflict have led directly and indirectly to a plummeting of defence expenditures on the part of Latin American States and a dwindling of export orders, resulting in the almost complete cessation of national production. By contrast, while virtually every region of the world has seen a precipitous drop in procurement and expenditures, South-East

Asia has seen an influx of weapons imports and a rise in indigenous production capabilities.

While the history of arms control and disarmament in Latin America is rich with initiatives fostered by the strong political will of States in the region towards promoting stability, those initiatives frequently failed, owing to the security environment in which they were put forward.[19] The current period, however, may be graced by the convergence of the requisite political will and favourable security environment necessary for the successful implementation of an effective arms control regime. South-East Asia, in contrast, has neither a tradition of regional arms control initiatives,nor as favourable an environment for restraint. Implementation of such a mechanism, therefore, is all the more essential, though success is not guaranteed.

In terms of willingness to participate in such an exercise, results from the first year of the Register are the only benchmark we have. In terms of sheer numbers, the much smaller ASEAN had 50 per cent of its members report, whereas the OAS had only a little over 30 per cent. Within Latin America, all the major importers and exporters of advanced weaponry, including Argentina, Brazil, Chile and Peru, reported, whereas, among the ASEAN members, Indonesia and Thailand, fairly significant weapons importers, did not participate. Participation by the major players in the OAS in the Register as it currently exists bodes well for the development of a more effective and perhaps intrusive regime. On the other hand, the members of ASEAN may be more willing to participate should a mechanism be devised which includes the issues salient to them and vital to their national security.

While the effectiveness and utility of the OAS are often in question, its established structure and permanent Council are well positioned to handle additional responsibilities in the field of regional security. In particular, its Special Committee on Hemispheric Security is being asked to examine possible areas in which the organization can contribute effectively to the security of the region. Transparency in armaments is, interestingly, one area it has already been mandated to explore.[20] ASEAN, however, does not share that tradition and may find the task of building meaningful structures difficult. Paradoxically, though, in creating a function which the States of the region find it in their best interests to support, the regional body could discover that it has gained more influence in the process.

In the framework of the OAS, an important fundamental question emerges. Does a regional initiative on the Register even matter in a region where interests are converging, tensions lessening, and military expenditures declining dramatically? If networks for conflict resolution (convenient at the best of times and crucial at the worst) can be established and a standard set for emulation by other regions, the usefulness of a regional initiative would be beyond question.

Conclusions

Much of the criticism to date concerning the United Nations Register of Conventional Arms has focused primarily on the mechanism itself and what it does not do to halt the trade in conventional weapons. Yet to refer to the Register solely as a technical (and inadequate) means of arms control is to take an overly simplistic view. It betrays a lack of awareness of the two-year process of negotiation leading to its establishment and the unprecedented volume of dialogue on the arms trade that it has generated within a variety of international and regional forums. The Register was established, and continues to function, as merely a first step in a series of measures aimed at promoting transparency in military matters, thus reducing fear and mistrust among States and enhancing regional as well as global peace and security. Only after such a foundation has been established can measures aimed at placing limitations on the transfer of conventional weapons be reasonably expected to succeed.

If developed carefully, and used as a complement to the development of the global Register, regional arms registers could support the process of achieving global norms by accounting for local peculiarities and meeting the security needs of the States of a particular region. Such mechanisms would lend an air of immediacy to the issue and encourage broader participation on the regional and international levels. Regional initiatives could also serve to answer the increasing call, within and outside the United Nations, for burden-sharing in the maintenance of global peace and security.

Notes

1 This is an edited version of a paper presented at the International Workshop on the United Nations Register of Conventional Arms, organized by the Monterey Institute of International Studies, Program for Nonproliferation Studies, in Monterey, California, from 6 to 9 April 1994. An earlier version of this article was published in the proceedings of that Workshop. M. Chalmers, O. Greene, E.J. Laurance and H. Wulf (eds.), *Developing the United Nations Register of Conventional Arms* (Bradford, United Kingdom, Bradford University, Department of Peace Studies, 1994).

2 South Africa submitted a letter to the Secretary-General explaining its inability to participate in the exercise owing to the United Nations-imposed embargo which remains in force. However, Peru reported the import from South Africa of four mine-resistant armoured troop carriers, in apparent violation of the embargo.

3 For an extensive analysis of the results of the first year's reporting, see Edward J. Laurance, Siemon T. Wezeman and Herbert Wulf, *Arms Watch: SIPRI Report on the First*

Year of the UN Register of Conventional Arms (New York, Oxford University Press, 1993).

4 Edward J. Laurance and Herbert Wulf, "The United Nations Register of Conventional Arms: its philosophy and first year experience," a paper presented at the workshop on the theme "Developing the UN Register of Conventional Arms", held in Monterey, California, 6-9 April 1994. An updated and extended version of that paper appears in this issue.

5 The following arguments for regionalism and universalism are excerpted from Robert E. Riggs and Jack C. Plano, The *United Nations: International Organization and World Politics* (Pacific Grove, California: Brooks/Cole Publishing Company, 1989), p. 27.

6 *Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms* (United Nations publication, Sales No. E.93.IX.6), para. 127.

7 Boutros Boutros-Ghali, *An Agenda for Peace. Preventive Diplomacy, Peacemaking and Peace-keeping.* (United Nations publication, DPI/1247). See especially paragraphs 60-65.

8 Boutros Boutro-Ghali, *New Dimensions of Arms Regulation and Disarmament in the post-cold War Era* (United Nations publication, Sales No. E.93.IX.8), para. 16.

9 Address of the Secretary-General, reproduced in *The Disarmament Agenda of the International Community in 1994 and Beyond* (United Nations publication, April 1994).

10 General Assembly resolution 46/36 H,entitled "International arms transfers", , para. 8.

11 UN General Assembly resolution 46/36 I entitled "Regional disarmament", para. 5.

12 UN General Assembly resolution 46/36 L entitled "Transparency in armaments", para 17.

13 UN General Assembly resolution 48/75 E entitled "Transparency in armaments", para. 6.

14 "Report of the Disarmament Commission" (A/48/42), annex II.

15 For the latter, see especially Report of the Ad Hoc Committee on Transparency in Armaments to the Conference on Disarmament, (CD/1218).

16 Pakistan's Ambassador to the Conference on Disarmament Mr. Ahmad Kamal, among others, has frequently argued that the exercise discriminates against those countries which rely primarily on arms imports for their national security. See Ahmad Kamal, "Transparency in armaments: a regional perspective" in *Transparency in Armaments: The Mediterranean Region*, Disarmament Topical Papers 15 (New York: United Nations publication, Sales No. E.93.IX.13), pp. 47-50.

17 Jon Lunn, "The Need for regional security commissions within the UN system" *Security Dialogue*, Vol. 24, No. 4 (December 1993), pp. 369-376.

18 Region-specific assessments of the Register concept are currently in progress at the Conventional Arms Proliferation (CAP) project at the Monterey Institute of International Studies. This brief summary is illustrative of the type of findings that will be forthcoming.

19 For a more detailed analysis of arms control and disarmament initiatives in Latin America, see Thomas M. Leonard and John R. Redick, "Latin America" in *Encyclopedia of Arms Control and Disarmament*. Volume I, ed. Richard Dean Burns (New York, Charles Scribner's Sons, 1993), pp. 149-168.

20 Viron P. Vaky, "The Organization of American States and multilateralism in the Americas," in The *Future of the Organization of American States* (New York, Twentieth Century Fund Press, 1993), p. 21.

21 For example, see Jozef Goldblat, "Reservations about UN arms register" *Arms Control Today*, July/August 1993, p. 30.

The Register — A Continuous Building Process

Mitsuro Donowaki

The United Nations Register of Conventional Arms came into being thanks to the dedicated efforts of various governments and their representatives and, most significantly, as a result of the favourable turn of events in the international situation. With the establishment of the Register, the world community has made a truly significant step forward.

A past history of failure

Regulating the arms trade became a matter of major concern in the aftermath of the First World War. In accordance with Article 23 of the Covenant of the League of Nations, various attempts were made to regulate the arms trade and to increase "transparency" (to use today's terminology) by publishing the *Armament Yearbook* and the *Statistical Yearbook of the League of Nations*. But these efforts did not achieve much, owing particularly to the situation leading up to the Second World War.[1]

The end of the Second World War was so closely followed by the beginning of the cold war that the inherent

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value of attempts to regulate the arms trade became overshadowed by other concerns. In a world where the West was confronted by the East, arms trading among Western allies was in the cause of justice, while the supply of arms and related technology to the enemy was treason. That situation did not foster a mood for global control of arms transfers. For example, the Final Document adopted by the tenth special session of the General Assembly in 1978 (SSOD-1) contained only two paragraphs dealing with the question of the transfer of conventional weapons.[2] The Final Document, in fact, placed far greater emphasis on the need for disarmament measures to be taken by the major powers.

In spite of that, at least five attempts had been made within the United Nations prior to the establishment of the Register to initiate some kind of study on the question of arms transfers. Draft General Assembly resolutions were introduced by Malta in 1965, by Denmark in 1968, by Japan in 1976 and by Italy in 1987, none of them receiving enough support to be adopted. In 1989 the General Assembly adopted resolution 43/75 I, introduced by Colombia, which mandated that a study be carried out by a group of governmental experts to be appointed by the Secretary-General, on the question of international transfers of conventional arms.[3] It should be noted, however, that the 38 abstentions recorded at the time of the adoption of that resolution clearly indicated the controversial and sensitive nature of its contents.

A great leap forward

How was it possible that only two years later, in 1991, resolution 46/36 L, which went far beyond a mere study of the matter and established the Register that we have today, was adopted by a vote of 150–0, with only two abstentions? First, within those two years the cold war came to an end with the fall of the Berlin Wall and with the collapse of the former

Soviet Union at the end of 1991. Disarmament efforts that were regarded primarily as tasks for the two major powers and for the Eastern and Western military blocs have now become tasks for all nations, as was the case before the cold war. What may be called "globalization" or "normalization" of disarmament took place.

Second, within those two years, the Gulf War took place, demonstrating the increased danger of regional armed conflicts in the post-cold war era arising from the excessive and destabilizing accumulation of conventional weapons.

Third, with the signing of the Treaty on Conventional Armed Forces in Europe (CFE) at the end of 1990, the utility of confidence-building measures, one of the few, hard-won legacies of the cold war, came to be recognized more or less worldwide, so that openness and transparency on military matters were no longer taboo.

Fourth, immediately following the Gulf War, beginning in the spring of 1991, countries such as Japan, members of the European Community and Canada made determined efforts to establish a register of arms transfers in the framework of the United Nations. The absence of any one of the four factors mentioned above probably would have prevented the Register from coming into being.

Japanese initiatives

Together with the EC, Japan was one of those nations which worked hard for the realization of the Register. It may be useful here to review some of the initiatives taken by Japan with which I was personally involved, as Ambassador to the Conference on Disarmament (CD) and as a representative of Japan to the UN General Assembly.

On 20 March 1991, soon after the end of the Gulf War, the Government of Japan issued a statement entitled "Japanese near-term responses to the problems in the Middle East", in which it declared its willingness to contribute to activities in the framework of the United Nations to establish "a reporting system" — meaning a register — "of international transfers of conventional weapons". Several Western leaders expressed similar views, among them John Major, Prime Minister of the United Kingdom (8 April).

On 27 May, at the second UN Kyoto Conference on Disarmament, which was attended by a host of prominent international leaders, including Australian Foreign and Trade Minister Gareth Evans, Philippine Foreign Minister Manglapus and more than a dozen CD ambassadors, Prime Minister Toshiki Kaifu said that Japan planned "to submit a draft resolution to the General Assembly calling for improved levels of candour in the international trade in conventional arms".[4] On 6 June, the Foreign Minister of Japan, Mr. Nakayama, attended a plenary session of the Conference on Disarmament (CD) and reiterated the resolve of his government expressed by Prime Minister Kaifu.

About that time, Japan began exchanging views with the EC nations (the United Kingdom held the presidency for the first half of 1991 and the Netherlands for the second half) on the contents of a draft resolution. In the meantime, the EC Foreign Ministers met in Luxembourg on 29 June and issued a statement that the Community and its members would table a draft resolution at the UN General Assembly calling for the establishment of a register of conventional arms transfers.

Such developments no doubt encouraged the Group of Governmental Experts meeting in accordance with resolution 43/75 I mentioned above, and in early July, the Group issued a report containing positive recommendations for the early establishment of "a universal and non-discriminatory arms transfer register".[5] In fact, just several months earlier, the debate in the Study Group had been far from promising in that sense.

From August on, Japan and the EC, keeping closely in contact, started an extensive process of sounding out a large number of Member States and, in the process, both Japan and the EC floated informal draft texts. Those texts were revised a few times, but were consolidated into a single text by the time the First Committee of the General Assembly started to meet.

There were no fundamental differences between the Japanese and the EC approaches. It could be said, though, that the EC nations were more confident about the value of transparency measures because they had already gained some experience in the field. Japan, on the other hand, was more concerned about the idea being acceptable to the rest of the world. An additional difference concerned the desirability of setting up another panel of experts before establishing the UN register. The EC was afraid to lose the momentum for the establishment of the register by going through such a process. Compromise was reached fairly quickly by giving the panel of experts only one year, instead of the usual two years, to complete its work and by establishing the register as from 1 January 1992, with data to be submitted by April 1993, in accordance with detailed procedures to be worked out by the panel of experts.

1991 session of the UN General Assembly

The primary concern for both Japan and the EC at the 46th regular session of the General Assembly was how to obtain consensus support for the draft resolution, and if that was not possible, how to approach near-consensus. Judging from the attitudes of a number of non-aligned nations, this appeared to be a formidable task. The experience of the UN standardized system of reporting on military expenditures haunted us. Resolution 35/142 B of 1980, which established the reporting system, was adopted by a vote of 113 in favour, none against and 21 abstentions. Though that in itself might have appeared to be a successful outcome, only about 26 nations returned data regularly, and the exercise was generally regarded as a failure.

For those and other reasons, the EC and Japan undertook to conduct extensive talks with the representatives of non-aligned nations in New York, and made strenuous efforts to accommodate their views in the text of the draft resolution before it was tabled. That process continued until the very day of voting in the First Committee. Ambassador Wagenmakers of the Netherlands, who headed the EC-Japan side, was often commended by the representatives of non-aligned nations for his sincerity and spirit of flexibility in conducting the talks.

Also, individual approaches to key hesitant delegations continued until the last minutes of the voting. The Egyptian delegation, for example, after having been satisfied that its suggestions were incorporated in the draft, offered to help the sponsoring nations to mobilize votes for the adoption of the resolution by consensus. Unfortunately, at that stage, a few nations, among them Cuba, were already determined to ask for a recorded vote and to vote against or to abstain. Thus, the result of the voting in the First Committee was 106 in favour, 1 against (Cuba) and 6 abstentions. After this, further approaches were made to individual delegations to seek to achieve consensus in the plenary session of the General Assembly. The final vote, held on December 9, showed 150 in favour, including such nations as Pakistan, Singapore, the Democratic People's Republic of Korea, which had abstained in the First Committee, and Iran, none against and 2 abstentions (Cuba and Iraq). China and Syria, which abstained in the First Committee voting, discreetly decided not to participate.

Remaining tasks for consolidating the Register

In that way, the objective of establishing the Register by near consensus was achieved, and, indeed, the submission of data by 83 Member States in the first year of the Register's operation (the figure has now climbed to 87) has been regarded by many as a resounding success. However, the sobering fact is that nations do not change their behaviour and their ways of thinking overnight.

The Register is basically a global confidence-building measure, which needs the participation of all nations to be successful. In order to work, a confidence-building measure requires that participating nations take concrete action in the sphere of arms control and disarmament. It should be remembered that the concept and utility of confidence-building measures came to be established only after decades of tedious and detailed negotiations between the Eastern and Western military alliances. Therefore, for the vast majority of nations, a concerted exercise in the field of arms control and disarmament is a brand-new experiment, not to mention a new concept, in enhanced security through greater transparency in military matters.

Though the submission of data from 83 nations in the Register's first year of operation may be a satisfactory achievement, the figure represents less than a half of the UN membership. Besides, the figure includes as a full-fledged submission of data such a communication as the following: "The Ministry of National Defence ...has reported that it does not possess the type of arms referred to in the relevant form". There is clearly room for improvement.

Continuous efforts will have to be made over a period of time to overcome the lack of awareness in the world community of the need to strengthen the Register and, particularly, to overcome the hesitancy on the part of some nations to accept the concept of transparency in military matters as a means to enhance security. The Tokyo Workshop convened in June 1992 by the Government of Japan, as well as the regional workshops organized by the UN in early 1993, including the one held in Tokyo in January that year, made important contributions to overcoming such problems of perception. In the same way, the Workshop on Developing the UN Register of Conventional Arms, organized by the Monterey Institute of International Studies in April 1994, was a valuable contribution from the academic and private sectors.

Mention must be made of the unique role played by the Workshop on Transparency in Armaments held in Tokyo in June 1992. Soon after the heated debate and the adoption of resolution 46/36 L in the General Assembly, a number of nations expressed their wish to be included in the Panel of Governmental Technical Experts set up by the Secretary-General. Past practice and technical and financial reasons precluded the Secretary-General from accommodating every request. Even after the Panel began its work, some nations continued to register their dissatisfaction. The solution that was finally found to this problem was the convening of the Tokyo Workshop. In addition to all the members and consultants of the Panel, high-ranking officials from nations which wanted to be included in the Panel were invited.

Such participation in the Workshop brought about an in-depth exchange of views on all aspects of the Register. Many panel members and invited participants left the Workshop with a deeper understanding and appreciation of one of the major themes that emerged from the meeting — the meaningful role that the Register could play as a confidence-building measure.

Expanding the scope of the Register

A paradoxical development in recent debates is the fact that those who favour an early expansion of the scope of the Register and those who oppose it appear to be changing sides. When resolution 46/36 L was adopted, the original co-sponsors agreed reluctantly to the idea of expanding the scope of the Register to include military holdings and procurement through national production. In their view, the primary objective for establishing the Register, in the aftermath of the Gulf War, was to enhance transparency in international arms trading in order to avoid excessive and destabilizing accumulations of weapons.

On the other side, many non-aligned nations expressed the view that the Register would be discriminatory if it dealt only with arms transfers. While the Register as such would oblige nations dependent upon imports for most of their military supplies to report most of their military capability to the Register, it would not oblige nations which relied on indigenous production for military supplies to reveal this in the Register. The security interests of the former would therefore be compromised. That argument appeared so germane to the issue of transparency that a mechanism to rectify this discriminatory aspect was included in the resolution.

Consequently, in accordance with paragraph 11 (b) of resolution 46/36 L, the 1994 Group of Governmental Technical Experts is in the process of preparing a report on further development of the Register, including the question of military holdings and procurement. This year's session of the General Assembly is expected to take a decision on that question.

From the discussions so far in the working sessions of the Group of Experts, it appears that the original co-sponsors of the resolution are now more inclined to expand the scope of the Register by including data on military holdings and procurement. Many of them may be more ready to do so because of their recent experience with the CFE reporting system. However, many of the non-aligned nations which had originally insisted on an early expansion of the scope of the Register now appear to be more cautious, arguing that transparency and confidence-building measures ought to advance on a step-by-step basis and that the first step should be the consolidation of what has been achieved so far. Three years after the adoption of resolution 46/36 L, both sides have become more realistic and have a better understanding of the nature of the Register as a confidence-building measure.

At this stage, we shall have to weigh carefully the merits of both arguments. The expansion of the scope of the Register, particularly by including data on procurement, will certainly make the entire international and domestic flow of arms more transparent. It will also reduce significantly the discriminatory aspect of the Register.

At the same time, however, expanding the scope of the Register in such a way may make some nations hesitant to participate in the Register because they may be afraid that too much transparency in the sphere of military holdings and procurement might compromise their security interests. Also, data on holdings and procurement through national production are bound to be less reliable because, unlike data on international transfers, they cannot be cross-checked. In that case, one might wonder why there should be any hurry to include such data in the Register.

Regional implications of the Register

Under the able and witty chairmanship of Ambassador Wagenmakers, the 1992 Panel of Experts and the 1994 Group of Experts have been coining some new terminology, the most famous of which is probably "family of efforts". The report of 1992 Panel begins as follows:

> "On 9 December 1991, as part of the larger family of international efforts to promote transparency in military matters...".[6]

A number of parallel efforts are being carried out within and outside the UN framework, and a number of others should be.[7] Of those efforts, the most crucial and deserving of serious attention should be regional efforts to promote transparency in military matters and to find ways to utilize the Register to that end. This is because, in the post-cold war world, where the possibility of a global war has diminished, the prevention of regional conflicts through confidence-building measures has become a major task for all nations.

In considering the regional implications of the Register, a region-by-region approach is unavoidable. Of course, in North America and Europe, where the concept of confidence-building measures originated, the Register appears to be best understood and appreciated. Of the 52 nations in the region, 38 returned data to the Register in its first year of operation. Under the terms of the CFE Treaty, most of the nations in that region have been taking additional measures towards greater transparency with respect to their military holdings, especially in the light of the provisions for on-site inspections contained in the Treaty. Obviously, this region is expected to serve as a model for other regions.

Africa is entirely the opposite case. The first year of the Register showed that only 10 of 52 nations in the region returned data. Several reasons have been offered to explain this. Lack of knowledge may be one. None of the four regional workshops organized by the UN Secretariat early in 1993, which were meant to familiarize Member States with the Register and its procedures, was held in Africa. The second and most important reason may be the fact that most nations in

Africa do not trade in the seven categories of arms to be registered, and thus the Register lacks relevance to the region. In that part of the world, small arms, such as machine guns, can be more destabilizing than the seven categories of arms in the Register.

This may be the reason why the UN Secretary-General, in an address to the Advisory Board on Disarmament Matters, stated that:

> "Regional registers of conventional arms should now be the next step. They have the advantage of allowing the categories of weapons to be registered to reflect the security concerns felt in the region".[8]

Perhaps the suggestion posited by the Secretary-General should not be taken literally, but rather as an encouragement to more efforts at bringing the transparency exercise into line with regional and subregional requirements. In fact, the Secretary-General, in his concluding remarks to the meeting of the Board, stressed the need for "political imagination" and urged Board members "not to be afraid of Utopia in arms control matters".

In recent years, Africa has become unique in the number of subregional, indigenous armed conflicts that have been fought there, mostly with small arms. The volume of illicit traffic in such arms is to be deplored. Much political imagination will be required to identify those sets of measures, including confidence-building measures, that would meet the specific needs of this region.

A somewhat similar situation existed in Central America. But, thanks to the return of peace and stability in the subregion and to the improved relationship among other major Latin American nations, the entire region now appears to be in a better position to make use of the Register. The OAS and other regional and subregional forums could be mobilized to increase participation in the Register, to solicit and discuss specific data returned to the Register, and to strengthen confidence-building measures in the region. The recent establishment of the Hemispheric Security Committee under the OAS for the purpose of enforcing confidence-building measures is a very encouraging step forward.

The Middle East and the Asia-Pacific regions are two key regions where the excessive and destabilizing accumulation of the seven categories of the Register's conventional weapons could create real problems. Therefore, those are the regions where the Register can be truly relevant. In the first year of the Register, only five of 15 Middle-Eastern nations returned data. Among those which did not respond were most of the large arms-importing nations. Of 32 nations in the Asia-Pacific region, 18 presented data. The participation of some the key nations in the region, such as China, India, Japan, Malaysia, Pakistan, the Philippines, the Republic of Korea, and Singapore, was a significant contribution to the first year of operation, while the lack of participation by such nations as the Democratic People's Republic of Korea, Indonesia, Thailand, and Viet Nam is regrettable.

In both regions, it would be not only desirable but imperative to mobilize regional and subregional forums for the purpose of familiarizing nations in the region with the Register and with the value of confidence-building measures. To begin with, such forums should be used to encourage wider participation in the Register. As time passes, they can focus on utilizing the data submitted to the Register for mutual enquiries and exchanges of views.

It should be noted that the United Nations has been doing a great deal by convening regional disarmament conferences, such as those that took place in Kyoto, Kathmandu, Shanghai and Hiroshima. Also encouraging are the recent developments taking place in South-East Asia. Starting in the summer of 1994, the ASEAN nations are to hold a regional forum with the participation of twelve other States, including China, Japan, Viet Nam, Russia and the United States. The forum will be at the ministerial level, and is expected to take up confidence-building measures as one of its major themes. Such a forum, together with others, will serve as a vehicle for ensuring the success of a process that was started by the Register, namely, a continuing, global process towards greater transparency in military matters and confidence-building among nations.

Notes

1 For a brief review of past proposals and practices to promote transparency or regulate arms transfers, see "Study on ways and means of promoting transparency in international transfers of conventional arms" (A/46/301), paras. 22-27.

2 See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4), paras. 22 and 85.

3 "Study on ways and means of promoting transparency...".

4 "Challenges to multilateral disarmament in the post-cold war and post–Gulf War period", *Challenges to Multilateral Disarmament in the Post–Cold–War and Post–Gulf–War Period*, Disarmament Topical Papers 8 (United Nations publication, Sales No. E.91.IX.18), p. 10.

5 "Study on ways and means of promoting transparency...", para. 161 (c).

6 See "Report on the Register of Conventional Arms: Report of the Secretary-General" (A/47/342), para 1.

7 See, for example, Hendrik Wagenmakers, "The Register of Conventional Arms: a challenging instrument", in *Register of Conventional Arms; Information Booklet* (United Nations publication, 1994), pp. 40-42. See also Hendrik Wagenmakers, "The UN Register of Conventional Arms: a new instrument for cooperative security", *Arms Control Today*, April 1993.

8 Address of the Secretary-General to the Advisory Board on Disarmament Matters, *The Disarmament Agenda of the International Community in 1994 and Beyond* (United Nations publication, 1994), a booklet published by the United Nations containing the above-mentioned address and the Secretary-General's message to the opening meeting of the Conference on Disarmament in 1994.

China and Transparency in Armaments

SHA Zukang

In recent years, the question of transparency in armaments has become one of the more widely discussed topics in the field of multilateral disarmament and arms control. That is mainly because the world has become increasingly multipolar with the end of the cold war and the consequent easing of East-West military confrontation, formerly reflected in tensions between the Soviet Union and the United States. In that process, even though the actual threat of world war has been greatly reduced, the problems of maintaining regional peace and stability, increasing international confidence and guarding against potential conflicts in the post–cold war era have become matters of common concern for the nations of the world. Against that background, the United Nations General Assembly in 1991 adopted resolution 46/36 L establishing the United Nations Register of Conventional Arms. [Ed. note: See documentation section in this issue.]

China has always loved peace, opposed the arms race and advocated effective arms reduction and arms control.

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From the outset, it has affirmed that appropriate and practicable transparency in armaments has a positive role to play as an international confidence-building measure. China formed part of the consensus on the resolution on transparency in armaments at the forty-seventh session of the General Assembly and made its submission to the Register's first two years of operation, covering the calendar years 1992 and 1993. It has not only taken an active part in the discussion and drafting of specific measures in that area, but has also put forward a set of principles that can serve as a guide for transparency in armaments measures.[1] Those principles can be summarized as follows:

a No country's security shall be compromised;

b Peaceful applications of advances in science and technology, by the developing countries in particular, shall not be compromised or affected, nor shall international cooperation and exchanges in this field be jeopardized;

c Specific measures for transparency in armaments should be appropriate, practicable and formulated jointly by the countries concerned through consultations on an equal footing;

d Measures for transparency in armaments should not be implemented by coercion, but should be open to adoption or participation by the countries concerned as conditions permit and on a voluntary basis;

e The approach to transparency in armaments should be orderly and gradual, with an emphasis on practical results.

There has been steady progress in bringing about concrete measures for transparency in armaments since the forty-sixth session of the General Assembly. Discussions are currently under way in the Ad Hoc Committee on Transparency in Armaments in the Geneva Conference on Disarmament (CD) and in the Group of Governmental Experts meeting this year on the continuing operation and further development of the Register. We believe that, based on the experience gained so far and proceeding in a step-by-step fashion, the drafting of any future measures for transparency in armaments must involve an objective study and assessment of the existing measure, namely the Register. Thus, when discussing new measures to foster transparency in armaments, even greater attention should be paid to their feasibility and to the practical concerns of individual countries, as well as to a determination of whether conditions for such measures are ripe or not, so that the goal of enhancing the security of all States may be reached.

An appraisal of the Register

At present, the main problem with the Register is that participation in the system is not universal. As at 1 June 1994, only 87 countries had provided information to the Secretary-General of the United Nations for the 1992 reporting period. Many of the world's major arms-exporting countries were among those that did. However, given that the Register is in itself a symbol of the international community's support for global military confidence-building measures and participation therein an expression of each country's political involvement in such a process, the fact that not even half the Member States of the United Nations participated clearly demonstrates the Register's less than universal character.

The first major reason for lack of universal participation is that many non-participating countries face, to varying degrees, negative security conditions. In fact, even some of the reporting States are not entirely certain what effects transparency may have on their security. Objectively speaking, the question of transparency in armaments is closely linked to the international security environment. As many countries have pointed out in the CD, the application of transparency in armaments should take into account each country's security concerns. If that problem is not addressed, universal participation will be hard to achieve. For many countries, the wide disparity between their military strength and that of others makes the reporting of arms transfers appear inherently unbalanced in the first place. If those countries see no prospect of improving their security situation, yet are asked to continue broadening and deepening the scope of the reporting exercise, the obstacles to universal participation will necessarily increase. For the time being, we should maintain the Register as a beginning exercise that is relatively simple and easy to complete, and work to make reporting more universal, while simultaneously taking measures to strengthen international confidence and reduce the level of the global arms trade.

The second reason for the lack of universal participation is that Member States still need a better understanding of the reporting system. In addition to reflecting fully the differing security needs of various regions and countries, a good registration system should consider the way in which it itself operates; its contents and procedures must be relatively stable and cannot be altered frequently. The contents (that is, categories of arms) and parameters (that is, definitions of categories) of the current system are clear and explicit. The main task at present should be to consolidate the achievements of the system as it stands, so that the current contents, parameters and operational procedures remain relatively fixed for a while, thereby allowing it to gain gradual acceptance by the majority of countries. Rushing headlong into the next set of changes could be counter-productive. Constant changes in the Register's contents and parameters could reinforce the indecision of the majority of countries, especially since there are still different views on the changes to be made. For those reasons, any rapid modification or expansion of the contents and parameters of the Register's current system would not, in all objectivity, expedite the achievement of a conventional arms transfer registration system with world-wide application.

The third reason for the lack of universal participation is that the international community has yet to take other effective measures parallel to transparency in armaments, a fact which may cast some doubt on the practical significance and role of the Register. The Register and transparency in armaments are not goals *per se*; the real goal is to regulate and control the transfer of armaments in order to increase confidence among nations and thereby maintain world peace. In reality, some countries, on the one hand, refer frequently to the significance and goals of transparency and, on the other, continue to make maximal efforts to sell arms. Such a policy for arms sales could hardly be described as one of restraint. Thus transparency and restraint ought to be advocated simultaneously rather than pressing for transparency before restraint and, still less, transparency without restraint. Otherwise, confidence in the role of the Register will be affected.

Expanding the scope of the Register

In order to maintain the effectiveness of the registration system, expanding the scope of reporting is something that should proceed realistically and be carried out on a step-by-step basis. The task at present is to ensure that more countries understand and participate in the current system. Even with the returns coming in for 1993, the system has not been in existence long enough to provide a reliable basis for review and analysis. To improve and develop the system and to bring about transparency in armaments while accommodating the security needs and interests of States, a balanced system acceptable to all countries should be sought. Given the varied security situations in countries, regions and subregions, the drafting of a unified global reporting system applicable to every country and region calls for a methodical, practical and deliberate approach. The current system still needs to consolidate and accumulate experience before proceeding further. The current modalities for reporting resulted from the work of the 1992 Panel of Governmental Technical Experts and are for the most part straightforward and clear. If those relatively simple modalities cannot ensure universal participation, then one must ask how universal participation in the Register can be encouraged if the modalities for reporting to it change, expand and grow more complex. In short, trying to expand the scope of the Register in haste will lead to waste, and may serve only to undermine its foundation and solidity.

Formulating new measures of transparency in armaments

In the area of transparency in armaments, limiting "the excessive and destabilizing accumulation of arms" should be assigned a high priority. Because weapons accumulation is an objective phenomenon, certain indicators can be used for accounting and comparison purposes. In order to reflect a country's overall level of armaments under normal conditions and to allow comparison of armaments levels between countries, a set of indicators should be compiled from such basic, macroscopic armaments data as total military expenditures and total number of military personnel, as well as the values of such factors relative to conditions in the country. For that purpose, we suggest that the following macroscopic indicators be used:

a Percentage of annual gross national product (GNP) devoted to military expenditures;

b Annual military expenditures per unit area of national territory;

c Number of military personnel per unit area of national territory;

d Average per capita annual military expenditures; and

e Average annual military expenditures for each soldier.

Those five indicators can show objectively the share of a country's financial resources devoted to armaments, as well as the extent of the country's armaments investment. They are commonly used throughout the world in statistical accounting of armaments levels; they can be used by any country, regardless of size, to make comparisons, and they are not detrimental to any country's practical interests. In general, they should remain relatively stable for each country, and their interrelationship should not change greatly, as that might indicate an imbalance in strength. The indicators outlined above can serve as "alarm bells" for any changes in armament levels outside the normal pattern for a particular country and can go a long way towards increasing transparency.

Consensus has yet to be reached on the matter of transparency in military holdings and procurement through national production. Because that problem is directly linked with the security interests of each country and each country's situation is different, it is normal and completely understandable that there should be different views on the subject. Nevertheless, we feel that it is better to study the principles involved and to arrive at a common view, and also to clarify the concepts and definitions connected with the question. It is premature to discuss expanding the Register before those basic problems are solved. To insist on applying to the whole world measures that are suited for the special needs of only a few countries simply would not work.

As far as transfers of high technology with military applications are concerned, it is our view that at the core of the problem is the need to abolish the biased and discriminatory system of control and limitation set up by a minority of countries, and to guarantee developing countries their legitimate right to exploit high technology for economic development and for the maintenance of a defence capability. As far as transparency with respect to weapons of mass destruction is concerned, problems are for the most part already being resolved within the framework of specific treaties, conventions and agreements.

Conclusions

In summary, China supports the enactment of appropriate and practicable transparency measures in the military area because such measures foster and promote international trust, guard against conflict and ease international tensions. At the same time, in the spirit of "seeking truth from facts", China does not agree that measures to foster transparency in armaments should be made absolute or isolated, that the role of such measures should be exaggerated, or that changes in already agreed procedures should be made too hastily, without taking into account prevailing security conditions. Such a course will not produce the desired results and will make it even more difficult to enlist the support of the international community. Only the adoption of realistic, appropriate and practicable measures of transparency in armaments will secure their global and universal support. Additionally, only arms control measures and related mechanisms that enjoy universal approval and the participation of the entire international community can be truly meaningful and successful.

Note

1 China has elaborated its position on various aspects of the question of transparency in armaments through the following papers circulated in the Conference on Disarmament: in 1993 – "Position of the Chinese delegation on transparency in armaments" (CD/1191); in 1994 – "Statement by the Chinese delegation" (CD/TIA/WP.22); "Position of the Chinese delegation on transparency in military holdings and procurement through national production and the question of the United Nations Register of Conventional Arms" (CD/TIA/WP.23); and "Position of the Chinese delegation on the question of "excessive and destabilizing accumulations of arms"" (CD/TIA/WP.24).

Russia and the Register

Petr G. Litavrin

The international armaments trade has become a key issue in contemporary world politics. The uncontrolled transfer of conventional arms is a dangerous channel for spreading the arms race to different parts of the world, as well as a method for acquiring the latest weapons, thereby intensifying the level of destruction and carnage in regional conflicts. The war in the Persian Gulf and armed conflicts in the territory of the former Yugoslavia and in several republics of the former Soviet Union have demonstrated how dangerous the unchecked accumulation of armaments can become, as it reduces predictability in global politics and undermines progress being made in the international arena.

The Russian Federation recognizes the inalienable right of States to acquire arms for purposes of legitimate self-defence and views the weapons trade as an entirely legal business. At the same time, it favours regulating and, ultimately, limiting international arms transfers on a reciprocal basis with other States. In the final analysis, significant results in the monitoring and regulation of arms transfers will be achieved only by coordinating the efforts of States, balancing their interests and combining global and regional

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approaches which take into account the specific conditions prevailing in each region.

Realization of the importance of coordinating the efforts of the international community to prevent uncontrolled arms exports led the five permanent members of the Security Council to recognize the need to establish an international mechanism in this field. Guidelines on conventional arms transfers were set forth at a meeting of the five in October 1991.[1] Then, on 25 November 1993, at the Conference on Security and Cooperation in Europe (CSCE) Forum for Security Cooperation in Vienna, guidelines for conventional arms transfers were adopted. [Ed. note: See documentation section in this issue.] In accordance with those principles, the Russian Federation will proceed on the basis that arms transfers must correspond to a need on the part of the importing country for legitimate self-defence and provide a response to a military threat that has arisen, as well as enable the recipient to take part in collective measures being implemented by the United Nations and the CSCE.

An important step towards providing effective verification of arms transfers is increased transparency and openness in military matters in order to enhance confidence, ease tensions and strengthen regional and international peace. In that regard, the decision that the General Assembly took to establish the Register, contained in resolution 46/36 L of 9 December 1991, is of vital importance. [Ed. note: see documentation section in this issue.] An additional step was taken to promote efforts in the field with the inclusion of the question of transparency in armaments in the agenda of the Conference on Disarmament (CD) in Geneva.

The Russian Federation views the Register as an important confidence-building measure aimed at increasing openness and predictability in military matters and eliminating mutual mistrust. Russia fully supports the concept of the

Register and has provided the required data on exports and imports of conventional arms for the 1992 and 1993 reporting periods.

The Register has had quite a successful first year of operation. Although, as of 1 June 1994, data had been provided by only 87 States, which is far from the total number that supported resolution 46/36 L, the information presented is still very useful for evaluating the first year of the Register's operation. This year has shown that the Register has succeeded thus far in maintaining the difficult balance between achieving representative participation and preserving the value of the data submitted. Many States voluntarily provided information on their military holdings and procurement through national production and on national legislation regulating arms exports, as well as on types and models of exported or imported weapons.

Some serious problems lie ahead, however.

Discussions so far in the 1994 Group of Governmental Experts preparing a report on the continuing operation and further development of the Register and also in the framework of the Ad Hoc Committee on Transparency in Armaments in the CD have revealed significantly diverging views among States as to how the Register should be developed. Some believe it should reflect holdings of weapons of mass destruction, but others oppose that idea; some favour the addition of further categories of armaments, while others claim that the primary objective is to expand the Register by including data on military holdings and procurement through national production.

Naturally, all Member States of the United Nations have the right to make proposals on how to improve the Register and all have ideas about the speed with which progress should be made. We respect that right, and hope that others will respect the Russian Federation's position. We consider the principles of consensus and voluntary participation in the Register as essential.

A fundamental element of the Russian approach to the question of the further expansion and development of the Register is the belief that the Register should be clear and simple and should be expanded gradually. At the same time, it would be preferable to give priority, initially, to participation by a larger number of States, not only by those supplying arms, but by recipients as well, which means many of the developing countries. The Register would not be of much value if it were to cover, let's say, only three tenths of the developed countries, even if they were to submit highly diverse information on arms exports and imports and on military holdings and procurement through national production. It is vital that a method for expanding and adding to the Register be devised for the future; if the Register is to help build confidence among States, its participants must be willing to supply more detailed information.

In that regard, there is probably no harm in allowing participating States at first to submit different amounts of information, in varying degrees of detail, even though in the future that practice might turn out to be discriminatory and counter-productive.

Arms trade information was taboo

It must be said that openness in matters of the arms trade does not come easily to Russia. That is understandable, since for decades such information was kept secret. Not only was it never published; it was not even indirectly discussed. Any public discussion of the topic of the arms trade was taboo. On 29 September 1992, for the first time, the Russian paper *Nezavisimaya Gazeta* published official figures for total deliveries of Soviet arms abroad in 1991: 553 tanks, 658 armoured personnel carriers, 381 large-calibre artillery systems, 40 combat aircraft, 1 attack helicopter, 3 surface ships, 1,783 missiles and one air-defence system. Data on transfers by geographical region were also provided. According to that breakdown, the largest shipment of armaments, 61 per cent, went to the Middle East, while 17 per cent went to Asia and 12 per cent to Europe. Although limited in scope, that information represented the first publication of statistics on armaments exports from official sources, something that had been impossible to do in the former USSR, despite *perestroika* and *glasnost*.

That began a process which facilitated further openness in the arms trade and, on 13 July 1993, the Russian Federation submitted to the Secretary-General its return for 1992, the first year of the Register's operation. Russia reported figures on exports in five of the seven categories, the overall numbers of which are the following, as contained in the Report of the Secretary-General on the Register (see A/48/344): 7 battle tanks, 198 armoured combat vehicles, 26 combat aircraft, 5 warships and 144 missiles and missile launchers. In its return, Russia reported no exports in the categories of large-calibre artillery systems and attack helicopters.

A brief comparison of the two sets of data shows a significant reduction in exports of national production in 1992, mainly in armoured vehicles, large-calibre artillery and missiles. One of the positive aspects of the Russian Federation's participation in the Register has been to dispel the myth of massive transfers of Russian arms to various countries, especially to the Islamic Republic of Iran and China. Many experts have concluded that Russia's arms exports in 1992 were significantly lower than expected. It must be remembered that, when data for the USSR and for the Russian Federation are compared, arms exports are inevitably lower, owing to the fact that certain portions of the defence industry and weapons remain in Ukraine, Belarus, Kazakhstan and other republics of the former USSR.

In any case, the very fact that data on the Russian Federation's arms exports, expressed in units and arranged by recipient country, were provided is a true step towards promoting openness in this highly sensitive area. In order to fully appreciate that "breakthrough" — which for many countries falls under the rubric of routine national data collection — one must bear in mind that the provision of data in Russia had to be approved by many of its arms importers, as stipulated in bilateral agreements signed originally between them and the former USSR. The Russian Federation, as the successor State to the Soviet Union in these agreements, was obliged to respect them.

The related technical and organizational problems faced by the Russian Federation should not be underestimated. No mechanism existed previously in the country for the compilation and presentation of data on arms imports and exports.

Certain arms dealers, members of the military and experts, in Russia and elsewhere, are opposed to providing data to the Register. While the Register contains only data regarding previous transfers, it is no secret that, for various reasons, certain importers are against the very concept of transparency in armaments, will not participate in the Register, and do not wish to have their imports appear in information supplied by Russia on its exports. In my personal view, such a position by recipient countries is based not so much on a concern for secrecy as on a fear that the information provided by exporters would undermine future prospects for arms purchases. In Russia, the view of the recipient will, of course, be taken into account, given that each deal that the Russian Federation makes is important to it, in the light of the four- to fivefold drop in its arms exports and the critical state of its defence industry.

I should like to refer also to the effectiveness of the Register in fulfilling the objectives laid down in resolution 46/36 L. In that regard, as noted above, the Register, during the first year of its operation, carried out the tasks assigned to it. The fear that the lack of available means to verify information from various countries about their arms exports and imports would lessen the reliability, and hence the value, of that information has proved to be unfounded. According to most assessments by competent specialists, the Register covers 97 to 98 per cent of all the main flows of armaments and, on the whole, presents an accurate picture of the existing world arms market. The inaccuracies and disparities in the submissions of exporters and importers on individual arms deliveries should probably not be given too much importance. Rather, they reflect differences in existing definitions of deliveries and in national practices regarding the submission of data on deliveries,, including provisional data.

More problematic is the Register's role in exposing the illegal diversion of weapons in the world. That aspect of the arms trade and transparency issue is referred to in several places in resolution 46/36 L. Although in recent years a number of abortive attempts at the illicit sale of weapons have been documented, that has not been due to the existence of the Register. While it may be stated with some assurance that the Register provides an overall view of the legal arms trade in the world, its role in uncovering illicit deals has yet to be determined.

In that connection, it would be useful to take a more critical look at the information provided for the Register and to compare it with data available in other authoritative sources on the arms trade, for example, the registers published by SIPRI or by the International Institute of Strategic Studies (IISS). Such a comparison would be designed not to cast doubt on the value of the Register, but rather to strengthen its role, to enhance the responsibility of States in respect of the data submitted, and to shed some light on possible violations of national laws and regulations governing the arms trade.

Note

1 Closing communiqué of the Meeting of the Five on Arms Transfers and Non-Proliferation, London, 17-18 October 1991. The text is reproduced in *DISARMAMENT: A Periodic Review by the United Nations*, vol. XV, No. 1, 1992.

Latin America and the Caribbean: Transparency, Confidence-Building and the Register

Rafael M. Grossi

This paper will address generally the regional implications of the process of transparency in armaments for Latin America and the Caribbean and specifically the impact on the region of a new instrument for cooperative security — the United Nations Register of Conventional Arms. Four main themes will be explored.

The first relates to the regional background against which the overall question of transparency in armaments should be viewed. It focuses on earlier initiatives put forward by States of the region and the attitudes and relevant positions adopted *vis-à-vis* some of the proposals of Latin American countries.

Second, in the light of the present stage of the Latin American political process, the appropriateness of transparency and confidence-building measures, particularly initiatives like the Register, will be examined.

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Third, an attempt will be made to assess regional participation in the first year of the Register's operation and to identify some of the salient features in the entries of participating States.

Fourth, the paper looks at the future of the Register and the possibility of harmonizing it with existing institutional structures at the hemispheric level.

Regional background

Security has been one of the more complex dimensions of the inter-American political scene since the Second World War.

Given the marginal role played by the region in that war, the post-conflict security system that emerged seemed a logical consequence of the undisputed hegemony the United States had in its region. Immediately after the war, the United States seemed particularly active in trying to ensure hemispheric support for emerging security structures, including the United Nations. The Inter-American Conference held at Chapultepec in 1947 was a clear manifestation of that idea. One might have assumed that under such conditions it would be easy to design a mechanism aimed at establishing a cooperative network for inter-American security relations. History has proven, however, that such was not the case. The adoption of the resulting Rio Treaty did not mark even the beginning of a dialogue on security questions between the countries of the region and the United States, much less any possible coordination of such issues. Rather, it ushered in a period characterized more by misunderstandings than by cooperation and joint action.

From 1945 to 1989, taking the fall of the Berlin Wall as a symbol of the end of the cold war, the history of the hemisphere reveals two aspects equally relevant to any assessment of the possibilities of successfully applying transparency measures on that scale. On the positive side, that period has confirmed the image of Latin America as a region free from major armed conflicts.[1] Conversely, it must also be acknowledged that at various points during the past decades tensions have arisen between countries of the region, and guerrilla warfare has been widespread throughout Latin America.

The combination of sporadic tensions and the traumatic phenomena of guerrilla movements rendered fruitless any serious attempt to forge inter-American or hemisphere-wide security structures. The political foundations were simply not sturdy enough to allow any significant degree of confidence to be built among States.

A partial explanation and clear illustration of this situation are provided by the seemingly paradoxical fact that, despite Latin America's geographical location in the southern part of the Western Hemisphere, institutions specifically designed to deal with aspects of hemispheric security found themselves paralysed by the East–West confrontation. The juridical limbo in which an institution such as the Inter-American Defense Board (IADB), created in 1942, still exists[2] must be attributed to the major difficulties one or more States have had over the past decades in accepting the idea of a hemispheric structure dealing with defence. As a consequence, bodies like the IADB became marginalized. Their concentration on technical questions, albeit important ones, fell short of the original role envisaged for them.

Though more could be said on that score, it suffices to mention here that hemispheric consideration of security was a result of the first structured efforts aimed at regional security coordination, even before the end of the Second World War.[3] Horizons narrowed dramatically with the emergence of the ideological and political confrontation that divided the world for many years after that.

In spite of the limitations inherent in institutional bodies like the IADB, the Charter of the Organization of American States (OAS) included specific provisions for peaceful settlement of disputes which were put into practice in Guatemala (1954), the Dominican Republic (1965)—where an Inter-American Peace Force was made operational—and during the war between El Salvador and Honduras (1969). In each case, inter-American mechanisms were applied with some degree of success. It would be inaccurate to conclude that, for some unknown reason, an inter-American system that was fully operational in those cases suddenly vanished. It would be more accurate to point to what some would term the insurmountable difficulties that the Latin American republics experienced in attempting to maintain truly cooperative relations with the United States, not only as a global Power, but as the undisputed Power in the region. The United States had conflicts of interest with some Latin American States, owing to political and ideological differences related directly to the underlying forces of the cold war.

The above references, although brief, highlight the existence of a security structure whose operation enabled the region to prepare the ground for further concrete measures. That seems to be confirmed by the fact that some regional security initiatives were advanced well before the end of the cold war or the launching of such innovative conceptual frameworks as cooperative security.

The year 1994 marks the twentieth anniversary of one of the better known initiatives of the subcontinent, the Declaration of Ayacucho, whereby some countries of the region undertook to consult on military matters and to seek a reduction of military forces.[4] Important in scope and intention as it was, the Declaration met the same fate as other initiatives aimed at enhancing Latin American cooperation, that is, lack of institutional continuity.

Before passing judgement on the achievements of the Declaration of Ayacucho, which never went beyond the level of political intent, one must bear in mind the fact that the Declaration was concluded during a particularly unstable phase of Latin American politics. The period of military government that soon followed in most countries of South America tended to work against the adoption of measures whose very *raison d'être* was to limit the military capabilities of States, albeit in a modest and mainly political fashion.

During the 1980s, that trend continued, and little emerged from the region in terms of new initiatives in the field of confidence-building.

Despite structural limitations like these, some Latin American countries remained interested in some form of multilateral involvement in the sphere of confidence-building and the monitoring of military activities. A good example can be found in the successive Colombian initiatives in the OAS advocating the establishment of mechanisms to deal with the reduction of military forces. Those ideas never materialized for the reasons outlined above. In our view, however, they highlight the existence of an attitude favourable to the institutionalization of ways to tackle the complexities of military spending and force reductions, at a time when the political atmosphere was less conducive to practical progress

As the 1980s came to an end, the military lost its predominance in such countries as Argentina, Brazil, Chile Paraguay, Peru and Uruguay. Democratic institutions brought about a new sense of predictability and a change in the role of the military in the regional agenda.

The renewed climate of confidence and the reassertion of institutional authority opened new possibilities for the peaceful, political settlement of disputes and differences.

In South America, Argentina and Chile were able to settle long-standing border disputes which had been a source of serious concern. As the echoes of the war in the South Atlantic faded, the instability in Central America, caused by decade-long wars, started to recede.

Indeed, Central America provides a good example of a pre-resolution 46/36 L attempt to agree on a mechanism to deal with a delicate aspect of a conflict through a mutual confidence-building arrangement.[5] These mechanisms for a detailed exchange of information were put in place in a joint effort to lessen the risk of a chronic civil war.

As further developments would show, measures like those adopted in Central America were signs of a gradual evolution in the political climate towards the application of more comprehensive measures.

Confidence-building in Latin America

Some analysts of the region's defence and security profile have argued that in Latin America, one of the least armed regions in the world, the application of transparency and confidence-building measures is superfluous, or that Latin America is less motivated than other regions to develop and implement transparency measures. One is tempted to counter that assertion with the simple truth that no region of the world is irrelevant when it comes to creating confidence and transparency structures in the military and security fields. Much as it has to be acknowledged that military expenditures in Latin America, as a percentage of gross domestic product, are considered moderate, and that therefore there is little possibility of a conventional arms race in the area, that fact alone should not negate the possibility of resorting to transparency and confidence-building measures. The application of such measures is not limited to those States that might exceed an arbitrarily fixed level of expenditure. Moreover, one can argue that a well-established system of CBMs would enhance those positive trends.

One important factor to bear in mind with respect to the building of confidence in the region is the growth over the years of legitimate arms industries in countries such as Brazil and Argentina, which produce a wide range of armaments and weapon systems, from pistols to aircraft and submarines. Those industries have given Latin America a share of the world's arms market, not only as a net importer but also as a significant producer/exporter.

The unprecedented level of cooperation in the political and economic sphere among countries of Latin America, including, the Rio Group for political coordination and MERCOSUR (the South American Common Market), is an encouraging factor which could be further enhanced by the adoption of transparency and confidence-building measures. The role of such cooperative efforts in consolidating present trends and keeping to the path of cooperation and integration should not be overlooked.

The Register and Latin America

In 1992, a system for reporting arms transfers, such as the one established by the United Nations Register that year, was as novel for Latin America as it was for other parts of the world . Except for the United States and Canada, countries in the Americas had had no prior experience with an exercise of this sort. While Washington and Ottawa could draw on their respective national experiences within the framework of the CSCE, the rest of the countries of the region faced their first experience of a multilateral exchange of detailed data on arms transfers.

One of the main concerns of the Latin American States that participated in the consultations leading to the adoption of resolution 46/36 L was that the mechanism have an appropriate amount of transparency, while avoiding two undesirable extremes. On the one hand, it should avoid the exchange of too much information, which might have negative implications for national security or for commercial interests. On the other hand, the information supplied should not be so scarce — here understood to mean in such a high degree of aggregation — as to lead to a lack of precision. To a large extent, that concern was shared by most developing countries.

The need for a balanced approach that would command the consensus of the General Assembly led to the agreement contained in the text of resolution 46/36 L, which provided for the setting up of the Register without specifying the actual format for the exchange of information. Instead, it provided for subsequent meetings at the expert level to elaborate the technical procedures necessary for the operation of the Register. Advocates of increased transparency felt that the mere recording of categories of weapons and their aggregate quantities was not enough to achieve a satisfactory degree of accuracy and so sought ways to improve the Register's precision.

The recommendation that a "Remarks" column be included in the submission form mitigated to some degree the concern expressed by some countries of the region. They considered it necessary to add an element that would allow for a more thorough description of the transfer, including model, type and other characteristics, and that would help to identify the real nature of the transfer and its impact on regional and global security. For Latin American and Caribbean participating States, the increased transparency furnished by this addition is very valuable, as they import and export items whose unexplained inclusion could convey an incorrect image of those countries' acquisition or selling patterns.

The results of Latin American and Caribbean participation in the first round of information-sharing in 1993 have been encouraging. In preparation for the first submissions, a regional workshop took place in March 1993 in Buenos Aires, where basic questions relating to the origins, scope and characteristics of the Register were addressed.

The list of States that took part in the first reporting year includes all the major States in Latin America and two in Central America: Argentina, Brazil, Chile, Colombia, Mexico, Nicaragua, Panama, Paraguay, Peru and Venezuela.

Measured against the participants' share in the world's arms trade, the Register, as far as Latin America is concerned, recorded one hundred per cent of the transfers carried out during the 1992 reporting period. From that point of view, the Register's first year of operation can be considered a success. There are, however, some qualifications.

In the first place, participants from the region have not escaped the ills experienced elsewhere, notably, the presence of discrepancies in reporting. In one case, a comprehensive report, including military holdings, was submitted. In another, an omission caused by difficulties in interpreting the exact date of a transfer was identified. Two other participants entered pistols, revolvers, rifles, ammunition and shotguns. There was a case of one-sided reporting, that is, one Latin American participant complied fully with its obligations, while its counterpart in the transfer did not submit a matching entry. Additionally, two countries contributed background information.

That being said, participation from the region can be considered more than satisfactory. All the relevant trade has been identified and the most significant States have participated. Discrepancies did not deviate from the general tendencies observed with respect to entries from other parts of the world. One could even say that the level of unmatched entries was lower for Latin America than in other regions.

As mentioned earlier, some States reported categories not included in the Register, such as small arms or weapons systems (e.g. rockets). One might be tempted to attribute this to an error in reporting. However, it might be a sign that the aspirations of some States have not been met in respect of the Register in its present state. The possibility of including other categories has been frequently advocated by representatives of small States eager to make the Register relevant to their security. Cases of over-reporting might, in fact, be external indicators that some States, in order to create more confidence, would like to have at their disposal a device that would provide information on arms categories with significantly lower levels of capacity and sophistication. Bearing in mind the fact that some States which have experienced grave security problems in the past on account of those types of weapons submitted comprehensive reports on their national holdings beyond the requirements of the Register,[6] the potential of the Register to expand its coverage of categories of lighter weapons should be explored.

Development of the Register in the region

On the basis of the experience gained so far, there are grounds for expecting that Latin American support for the Register will continue and, perhaps, increase as those countries that did not participate in the first round of reporting join the process.

An important element in that regard will be the review currently under way by the Panel of Governmental Experts appointed by the Secretary-General in accordance with resolution 46/36 L. The review should yield a phased approach to the expansion of the Register, particularly important because many Latin American countries, either in the the First Committee of the General Assembly or in the Ad Hoc Committee on Transparency in Armaments of the

Conference on Disarmament, have expressed the view that the reports submitted to the Register should encompass military holdings and national acquisitions through national production.[7]

In this context, it is worth mentioning the growing interest in the region as a whole in developing transparency and confidence-building measures. The situation of CBMs at the hemispheric level can be characterized as positive, especially as regards achievements in the area of weapons of mass destruction. The conclusion of agreements between Argentina and Brazil in the nuclear field, between those two countries and Chile in the area of chemical and biological weapons, the relevant declarations of the Andean Group, the recent adherence of Argentina to the Treaty of Tlatelolco, the expected adhesion of Brazil to the same instrument, and the fact that most of the important countries of the continent are original signatories of the chemical weapons Convention testify to the widespread consensus in the region on the benefits of non-proliferation.

As to the Register itself, in the course of the Buenos Aires Workshop mentioned above, proposals were made to encourage Latin American and Caribbean countries to exchange national submissions among themselves prior to delivering them formally to the Secretary-General,[8] as is currently being done by members of the CSCE.

In addition, the Register garnered regional support from the OAS. In a resolution adopted at its last General Assembly, the OAS called upon countries of the region to participate in the Register. Promising action by the OAS has continued along those lines, mainly through the recently established Special Commission on Hemispheric Security, which, at the technical level, is working on a catalogue of confidence-building measures suitable for the region.

Such developments show a spontaneous convergence of efforts carried out at the global level by the United Nations and those at the regional level by the OAS. Far from limiting itself to formally endorsing decisions of the United Nations General Assembly, the OAS has broadened its consideration of CBMs and is seeking structured ways to implement them, taking into account region-specific concerns.

Conclusion

The present analysis shows that the Americas have a wealth of experience and a rich background in initiatives aimed at enhancing confidence in the military sector.

The re-establishment of democratic institutions and pluralistic governments in Latin America and the new possibilities that opened at the end of the cold war have converged to generate solid support for new confidence-building measures among the nations of the Americas, such as the United Nations Register, as well as for the development of regional mechanisms that can go beyond what has been achieved at the global level.

As pointed out by Ambassador Wagenmakers in his article in this issue of *Disarmament*, cooperative security calls for a network or family of efforts to operate in concert to achieve a shared objective. The Latin American and Caribbean region, as a partner in the Americas, has made tangible contributions to the development of a more stable and peaceful international society.

Notes

1 The South Atlantic war between Argentina and the United Kingdom has been omitted from this analysis as it was not an inter-American conflict.

2 The IADB has never been integrated into the inter-American family of institutions under the aegis of the OAS,

though attempts have been made to do so on more than one occasion.

3 It should be borne in mind that concepts like common defence against an attack directed at one of the parties of a regional agreement ("attack against one is equal to attack against all"), which were incorporated in the Rio Treaty of 1947, served as an example for the Treaty of Washington of April 1949.

4 Signed by the members of the Andean Group—Bolivia, Chile, Colombia, Ecuador, Peru and Venezuela, with the addition of Argentina and Panama—the Declaration was circulated as a United Nations document (A/10044), annex, dated 28 January 1975.

5 That is, the establishment of the Central American Commission for Verification and Security (CIVS).

6 For example, the report submitted by Nicaragua, which gave a full and detailed inventory of war matériel.

7 For national views on the relevant agenda item in the Conference on Disarmament, see document CD/TIA/INF.2/Rev. 1 of 27 July 1993.

8 Statement by the Argentine Foreign Minister, Dr. Guido Di Tella, at the opening session of the Buenos Aires Workshop on 17 March 1993.

The Register: Its Evolution and Prospects

José R. Menéndez Hernández

It is clear that, for security reasons, certain States maintain a degree of reserve with regard to their present and future military capabilities and, when procuring arms, generally require their suppliers to keep negotiations and transactions concerning arms transfers confidential.

However, greater transparency in such operations could reduce the level of mistrust between States, relax regional and international tensions and provide timely information regarding trends in arms transfers, an area in which steady growth has been recorded throughout the world.

That increase has been documented by abundant data. In the early 1960s, for example, annual arms sales were valued at approximately 14 billion dollars; in 1973, the figure rose to 35 billion; and in 1984 to nearly 60 billion. Ninety per cent of the contracts originated in six major supplier countries, among which were France, Germany, Italy and the United States.

In the 1980s, developing countries accounted for 80 per cent of all imports, compared with 70 per cent in the 1960s.

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Half of the transfers of heavy weapons went to the Middle East alone, the remainder being distributed more or less evenly among other regions.

According to recent reports, the United States in 1994 will provide 2 billion dollars for Israel's defence budget for the purchase of F-15E aircraft equipped with laser-guided bombs, and 1.3 billion to Egypt, while, in another multimillion dollar transaction, Argentina will receive 36 Skyhawk combat aircraft.

Given the magnitude of international arms transfers and with a view to maintaining peace and building confidence among nations, the Register was established to promote transparency by calling on States to declare voluntarily their annual exports and imports of arms. That agreement, which is of far-reaching significance for the entire world, was arrived at after lengthy negotiations, debates and consultations, which will be reviewed below.

The negotiating process

In 1919, after the conclusion of the First World War, the League of Nations adopted a Convention for the Control of the Trade in Arms and Ammunition. Six years later, the first *Statistical Yearbook* was published, listing the cost of arms imports on the basis of official data from different countries. Publication continued until 1938, and the last volumes included data from as many as 60 countries and 64 colonies, protectorates and trust territories. Publication ceased with the outbreak of the Second World War.

The topic of arms transfers was first considered as a separate item by the General Assembly in 1965, when Malta proposed a system to make all such transactions public. Owing to a lack of support from the majority of Member States, the proposal was not adopted. In 1968, Denmark, along with several other countries, proposed that the General

Assembly should seek the views of Governments on the idea of compiling a United Nations register of the arms trade. Once again, the proposal failed to gain broad support and was not put to a vote.

Eight years later, in 1976, Japan submitted a proposal that would have enabled the General Assembly to obtain the views of States by calling for the preparation of an objective study on arms transfers. A procedural move on the part of certain States put an end to the debate and prevented the proposal from being put to a vote. In 1977, Italy presented to the Conference of the Committee on Disarmament a new proposal for the publication by the United Nations of data on the production and transfer of weapons systems.

The issue was taken up again in 1978 when a large number of States raised the subject and suggested that the United Nations should undertake a study on the registering of arms transfers. Two paragraphs of the Final Document of the Tenth Special Session of the General Assembly,[1] which took place that year, expressly refer to international transfers of conventional arms. Among other things, paragraph 22 states that negotiations should be carried out on the limitation of international transfer of conventional armaments, and paragraph 85 calls for consultations to be carried out among the major arms supplier and recipient countries.

At the request of the General Assembly expressed in various resolutions, the Secretary-General, with the assistance of different groups of governmental experts, carried out various studies related to the question, which covered such topics as the relationship between disarmament and development; confidence-building measures; the relationship between disarmament and international security; the economic and social consequences of the arms race and of military expenditures; conventional disarmament; regional disarmament; and the reduction of military budgets.[2]

The foregoing shows that, although many States, at different times and in different ways, favoured some form of multilateral action on the issue of the arms trade in conventional weapons, little progress was made owing to the tensions of the cold war.

From January 1990 to July 1991, a group of governmental experts appointed by the Secretary-General carried out a study on ways and means of promoting transparency in international transfers of conventional arms and recommended, *inter alia*, that a universal and non-discriminatory arms transfer register under the auspices of the United Nations be established as soon as possible.[3]

Given the new circumstances of the post-cold war era, it was possible to achieve significant progress and finally, on 1 January 1992, in accordance with General Assembly resolution 46/36 L of 9 December 1991, the Secretary-General established the Register and the international community took its first step in making transparency in armaments a reality.

In that resolution, the General Assembly requested Member States to provide annually, on a voluntary basis, data on imports and exports of arms in seven categories covered by the Register.

Some of the guiding principles of the Register are the following:

—To strengthen international peace and security through openness and transparency in the field of armaments;

—To preserve the inherent right of all peoples to individual or collective self-defence;

—To assign equal responsibility to producer and recipient countries.

In accordance with those principles, the Register should be viewed as an instrument whose aim is to promote openness and transparency in international arms transfers, which in turn fosters a climate of confidence and moderation among States, facilitates the implementation of effective disarmament measures and contributes to international peace and security.

The current debate

Now that the Register has been established, and in order to remove any element of discrimination, some experts have proposed that it should cover not only imports and exports of arms in the seven categories of equipment listed, but also military holdings, procurement through national production and relevant policies of States.

That proposal, however, does not provide a definitive solution to the problem, since it does not offer equal advantages to all countries. States with huge arsenals and powerful military industries would merely be required to report their holdings, which are constantly changing in accordance with national production. On the other hand, countries lacking such advantages and having only the minimum amount of armaments necessary to defend themselves and their sovereignty would jeopardize their security by being forced to report theirs.

In considering that proposal, it should not be forgotten that whereas 180 countries voted in favour of resolution 46/36 L, slightly above 80 submitted their reports in the first year following the establishment of the Register, and of these, a mere 33 provided data on their military holdings and procurement through national production.

Those developments clearly demonstrate that the time is not yet ripe to include in the Register information on military holdings, procurement through national production and relevant policies. The fact that a number of small countries still live under the constant threat of aggression by Powers considered to be major arms producers further strengthens that view.

Other aspects for consideration

In this review, which has examined, *inter alia*, the importance of the Register, the main initiatives undertaken in connection with its establishment and the debates to which it gives rise today, mention should also be made of two obstacles to the effective functioning and further elaboration of the Register.

The first is the lack of definitive and universally acceptable definitions of such terms as "excessive accumulation of arms", "international arms transfers", "military holdings", and "procurement through national production". I should like to suggest the following definitions:

—"Excessive accumulation of arms" means the possession by a State of arms and equipment which, because of their quality, quantity and the manner in which they are deployed, exceed the capability necessary to defend the State's sovereignty and territorial integrity and may affect the security of other countries by giving the State the capability to launch aggression, large-scale military action, or surprise operations through the deployment of forces prepared for that purpose, such as rapid deployment or contingency forces.

Everything outside that definition may be classified as measures aimed at ensuring the defence and security of a country.

—"International arms transfers" means the receipt by a State or the shipment to another State of military equipment, weapons systems, munitions and military platforms for such systems, through the transfer of ownership by the exporting country or by a private firm or corporation.

An international transfer of arms shall also be deemed to have taken place when ownership or control of equipment or systems is transferred without the physical transfer of such equipment or systems.

—"Military holdings" refers to all arms and equipment in the seven categories included in the Register which are in the service of the armed forces of a State, both within and outside its territory. It includes arms and equipment in the seven categories of the Register which are kept, for example, in previously prepared deposits or storage facilities or which are intended to be kept, for instance, in active or reserve units.

—"Procurement through national production" refers to the receipt by armed forces of arms and equipment supplied by the State through national production. Included in that definition are holdings of arms and equipment produced but not delivered to military units and which are stored in places designated for this purpose.

Complementary measures to build confidence

The other obstacle to the effective functioning and further elaboration of the Register is the lack of the necessary complementary measures to build confidence and security among States, since the Register by itself does not fulfil that important objective.

The situation may be addressed by considering such measures as:

—Making an effective and internationally verifiable commitment to withdraw from military bases located within other countries as soon as the Governments of the host nations so request;

—Putting an end to the conduct of military exercises and manoeuvres in areas close to countries with which a dispute exists;

—Removing military bases from areas which are relatively close to or within the territory of other States;

—Ceasing threats between potential adversaries and demonstrating that their respective armed forces are not preparing to attack one another;

—Eliminating the risks of an accidental outbreak of war;

—Creating a climate of detente and mutual confidence between hostile countries.

Conclusion

The Register as currently devised is a measure of vital importance to confidence-building, and the international community must now demonstrate that it has the political will to achieve in the most effective way the objectives for which the Register was established.

Because the Register seeks to benefit humanity and to promote coexistence among nations, all Member States should contribute to it and thereby help to ensure that the United Nations plays an increasingly effective role in the maintenance of international peace and security.

Notes

1 See *Official Records of the General Assembly, Tenth Special Session, Supplement No. 4* (A/S-10/4).

2 See the following studies prepared by the Secretary-General:
—*Study on All Aspects of Regional Disarmament* (United Nations publication, Sales No. E.81.IX.2);
—*Study on the Relationship between Disarmament and Development* (United Nations publication, Sales No. E.82.IX.1);
—*Comprehensive Study on Confidence-building Measures* (United Nations publication, Sales No. E.82.IX.3);
—*Study on the Relationship between Disarmament and International Security* (United Nations publication, Sales No. E.82.IX.4);

—*Economic and Social Consequences of the Arms Race and of Military Expenditures* (United Nations publication, Sales Nos. E.83.IX.2 and E.89.IX.2);
—*Study on Conventional Disarmament* (United Nations publication, Sales No. E.85.IX.1);
—*Reduction of Military Budgets* (United Nations publication, Sales Nos. E.81.I.9, E.83.IX.4 and E.86.IX.2).

3 *Study on Ways and Means of Promoting Transparency in International Transfers of Conventional Arms*, (United Nations publication, Sales No. E.93.IX.6), para. 161.

Bibliography

1 *The United Nations and Disarmament: A Short History* (United Nations publication, 1988).

2 Edward J. Laurance, Siemon T. Wezeman and Herbert Wulf, *Arms Watch: SIPRI Report on the First Year of the UN Register of Conventional Arms* (Oxford, Oxford University Press, 1993).

3 Resolution 43/75 I of 7 December 1988 entitled "International arms transfers".

4 Resolution 46/36 L of 9 December 1991 entitled "Transparency in armaments".

5 "Report of the Secretary-General on the Register of Conventional Arms" (A/47/342).

6 *Transferencias internationales de armas* (Study by the Disarmament Group of the Ministry of the Revolutionary Armed Forces of Cuba, 16 April 1991).

7 *Transparencia en materia de transferencias internacionales de armas: creación del Registro de armas convencionales* (Study by the Disarmament Group of the Ministry of the Revolutionary Armed Forces of Cuba, 31 March 1992).

Documentation Relating to Disarmament

Resolution 46/36 L
Transparency in armaments

New York, 9 December 1991

The General Assembly,

Realizing that excessive and destabilizing arms build-ups pose a threat to national, regional and international peace and security, particularly by aggravating tensions and conflict situations, giving rise to serious and urgent concerns,

Noting with satisfaction that the current international environment and recent agreements and measures in the field of arms limitation and disarmament make it a propitious time to work towards easing tensions and a just resolution of conflict situations, as well as more openness and transparency in military matters,

Recalling the consensus among Member States on implementing confidence-building measures, including transparency and exchange of relevant information on armaments, likely to reduce the occurrence of dangerous misperceptions about the intentions of States and to promote trust among States,

Considering that increased openness and transparency in the field of armaments could enhance confidence, ease tensions, strengthen regional and international peace and security and contribute to restraint in military production and the transfer of arms,

Realizing the urgent need to resolve underlying conflicts, to diminish tensions and to accelerate efforts towards general and complete disarmament under strict and effective international control with a view to maintaining regional and international peace and security in a world free from the scourge of war and the burden of armaments,

Recalling also that in paragraph 85 of the Final Document of the Tenth Special Session of the General Assembly it urged major arms supplier and recipient countries to consult on the limitation of all types of international transfer of conventional arms,

Disturbed by the destabilizing and destructive effects of the illicit arms trade, particularly for the internal situation of affected States and the violation of human rights,

Bearing in mind that, in accordance with the Charter of the United Nations, Member States have undertaken to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, and that the reduction of world military expenditures could have a significant positive impact for the social and economic development of all peoples,

Reaffirming the important role of the United Nations in the field of disarmament and the commitment of Member States to take concrete steps in order to strengthen that role,

Recalling its resolution 43/75 I of 7 December 1988,

Welcoming the study submitted by the Secretary-General, pursuant to paragraph 5 of resolution 43/75 I and prepared with the assistance of governmental experts, on ways and means of promoting transparency in international transfers of conventional arms, as well as the problem of the illicit arms trade, taking into account views of Member States and other relevant information,

Recognizing the major contribution of an enhanced level of transparency in armaments to confidence-building and security among States, and also recognizing the urgent need to establish, under the auspices of the United Nations, as a first step in this direction, a universal and non-discriminatory register to include data on international arms transfers as well as other interrelated information provided to the Secretary-General,

Stressing the importance of greater transparency in the interest of promoting readiness to exercise restraint in accumulation of armaments,

Considering that the standardized reporting of international arms transfers together with the provision of other interrelated information to a United Nations register will constitute further important steps forward in the promotion of transparency in military matters and, as such, will enhance the role and effectiveness of the United Nations in promoting arms limitation and disarmament, as well as in maintaining international peace and security;

Recognizing also the importance of the prevention of the proliferation of nuclear weapons and other weapons of mass destruction,

1. *Recognizes* that an increased level of openness and transparency in the field of armaments would enhance confidence, promote stability, help States to exercise restraint, ease tensions and strengthen regional and international peace and security;

2. *Declares its determination* to prevent the excessive and destabilizing accumulation of arms, including conventional arms, in order to promote stability and strengthen regional or international peace and security, taking into account the legitimate security needs of States and the principle of undiminished security at the lowest possible level of armaments;

3. *Reaffirms* the inherent right to individual or collective self-defence recognized in Article 51 of the Charter of the United Nations, which implies that States also have the right to acquire arms with which to defend themselves;

4. *Reiterates its conviction*, as expressed in its resolution 43/75 I, that arms transfers in all their aspects deserve serious consideration by the international community, *inter alia*, because of:

(a) Their potential effects in further destabilizing areas where tension and regional conflict threaten international peace and security and national security;

(b) Their potentially negative effects on the progress of the peaceful social and economic development of all peoples;

(c) The danger of increasing illicit and covert arms trafficking;

5. *Calls upon* all Member States to exercise due restraint in exports and imports of conventional arms, particularly in situations of tension or conflict, and to ensure that they have in place an adequate body of laws and administrative procedures regarding the transfer of arms and to adopt strict measures for their enforcement;

6. *Expresses its appreciation* to the Secretary-General for his study on ways and means of promoting transparency in international transfers of conventional arms, which also addressed the problem of the illicit arms trade;

7. *Requests* the Secretary-General to establish and maintain at United Nations Headquarters in New York a universal and non-discriminatory Register of Conventional Arms, to include data

on international arms transfers as well as information provided by Member States on military holdings, procurement through national production and relevant policies, as set out in paragraph 10 below and in accordance with procedures and input requirements initially comprising those set out in the annex to the present resolution and subsequently incorporating any adjustments to the annex decided upon by the General Assembly at its forty-seventh session in the light of the recommendations of the panel referred to in paragraph 8 below;

8. *Also requests* the Secretary-General, with the assistance of a panel of governmental technical experts to be nominated by him on the basis of equitable geographical representation, to elaborate the technical procedures and to make any adjustments to the annex to the present resolution necessary for the effective operation of the Register, and to prepare a report on the modalities for early expansion of the scope of the Register by the addition of further categories of equipment and inclusion of data on military holdings and procurement through national production, and to report to the General Assembly at its forty-seventh session;

9. *Calls upon* all Member States to provide annually for the Register data on imports and exports of arms in accordance with the procedures established by paragraphs 7 and 8 above;

10. *Invites* Member States, pending the expansion of the Register, also to provide to the Secretary-General, with their annual report on imports and exports of arms, available background information regarding their military holdings, procurement through national production and relevant policies, and requests the Secretary-General to record this material and to make it available for consultation by Member States at their request;

11. *Decides*, with a view to future expansion, to keep the scope of and the participation in the Register under review, and, to this end:

(a) *Invites* Member States to provide the Secretary-General with their views, not later than 30 April 1994, on:

(i) The operation of the Register during its first two years;

(ii) The addition of further categories of equipment and the elaboration of the Register to include military holdings and procurement through national production;

(b) Requests the Secretary-General, with the assistance of a group of governmental experts convened in 1994 on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the work of the Conference on Disarmament as set forth in paragraphs 12 to 15 below and the views expressed by Member States, for submission to the General Assembly with a view to a decision at its forty-ninth session;

12. *Requests* the Conference on Disarmament to address, as soon as possible, the question of the interrelated aspects of the excessive and destabilizing accumulation of arms, including military holdings and procurement through national production, and to elaborate universal and non-discriminatory practical means to increase openness and transparency in this field;

13. *Also requests* the Conference on Disarmament to address the problems of, and the elaboration of practical means to increase, openness and transparency related to the transfer of high technology with military applications and to weapons of mass destruction, in accordance with existing legal instruments;

14. *Invites* the Secretary-General to provide to the Conference on Disarmament all relevant information, including, *inter alia*, views submitted to him by Member States and information provided under the United Nations system for the standardized reporting of military expenditures, as well as on the work of the Disarmament Commission under its agenda item entitled "Objective information on military matters";

15. *Further requests* the Conference on Disarmament to include in its annual report to the General Assembly a report on its work on this issue;

16. *Invites* all Member States, in the meantime, to take measures on a national, regional and global basis, including within the appropriate forums, to promote openness and transparency in armaments;

17. Calls upon all Member States to cooperate at a regional and subregional level, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

18. *Also invites* all Member States to inform the Secretary-General of their national arms import and export policies, legislation and administrative procedures, both as regards authorization of arms transfers and prevention of illicit transfers;

19. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on progress made in implementing the present resolution, including relevant information provided by Member States;

20. *Notes* that effective implementation of the present resolution will require an up-to-date database system in the Department for Disarmament Affairs of the Secretariat;

21. *Decides* to include in the provisional agenda of its forty-seventh session an item entitled "Transparency in armaments".

Annex

Register of Conventional Arms

1. The Register of Conventional Arms ("the Register") shall be established, with effect from 1 January 1992, and maintained at the Headquarters of the United Nations in New York.

2. Concerning international arms transfers:

(*a*) Member States are requested to provide data for the Register, addressed to the Secretary-General, on the number of items in the following categories of equipment imported into or exported from their territory:

I. ***Battle tanks***

A tracked or wheeled self-propelled armoured fighting vehicle with high cross-country mobility and a high level of self-protection, weighing at least 16.5 metric tonnes unladen weight, with a high muzzle velocity direct fire main gun of at least 75 millimetres calibre.

II. ***Armoured combat vehicles***

A tracked or wheeled self-propelled vehicle, with armoured protection and cross-country capability, either: (*a*) designed and equipped to transport a squad of four or more infantrymen, or (*b*) armed with an integral or organic weapon of at least 20 millimetres calibre or an anti-tank missile launcher.

III. ***Large calibre artillery systems***

A gun, howitzer, artillery piece combining the characteristics of a gun and a howitzer, mortar or multiple-launch rocket system, capable of engaging surface targets by delivering primarily indirect fire, with a calibre of 100 millimetres and above.

IV. ***Combat aircraft***

A fixed-wing or variable-geometry wing aircraft armed and equipped to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons, or other weapons of destruction.

V. ***Attack helicopters***

A rotary-wing aircraft equipped to employ anti-armour, air-to-ground, or air-to-air guided weapons and equipped with an integrated fire control and aiming system for these weapons.

VI. ***Warships***

A vessel or submarine with a standard displacement of 850 metric tonnes or above, armed or equipped for military use.

VII. ***Missiles or missile systems***

A guided rocket, ballistic or cruise missile capable of delivering a payload to a range of at least 25 kilometres, or a vehicle, apparatus or device designed or modified for launching such munitions.

(*b*) Data on imports provided under the present paragraph shall also specify the supplying State; data on exports shall also specify the recipient State and the State of origin if not the exporting State;

(*c*) Each Member State is requested to provide data on an annual basis by 30 April each year in respect of imports into and exports from their territory in the previous calendar year;

(*d*) The first such registration shall take place by 30 April 1993 in respect of the calendar year 1992;

(*e*) The data so provided shall be recorded in respect of each Member State;

(*f*) Arms "exports and imports" represent in the present resolution, including its annex, all forms of arms transfers under terms of grant, credit, barter or cash.

3. Concerning other interrelated information:

(*a*) Member States are invited also to provide to the Secretary-General available background information regarding their military holdings, procurement through national production, and relevant policies;

(*b*) The information so provided shall be recorded in respect of each Member State.

4. The Register shall be open for consultation by representatives of Member States at any time.

5. In addition, the Secretary-General shall provide annually a consolidated report to the General Assembly of the data registered, together with an index of the other interrelated information.

Paragraph 11 (a) of resolution 46/36 L invited Member States to provide the Secretary-General with their views on the operation of the Register during its first two years and on the addition of further categories of equipment and the elaboration of the Register to include military holdings and procurement through national production. Those views are to be taken into account by the 1994 Group of Governmental Experts preparing a report on the subject for the 49th session of the General Assembly.

On 21 February 1994, the United States Ambassador to the Conference on Disarmament, Mr. Stephen Ledogar, presented his country's views on the continuing operation and further development of the Register. The contents of the CD document containing the United States views is reproduced below

United States Views on the Continuing Operation and Further Development of the Register

CD/1246
CD/TIA/WP. 19
21 February 1994

Continuing Operation of the Register

The United States was pleased to see that 83 Member States from all regions of the world submitted data and information to the United Nations Register in its first year of operation. [Ed. Note: As at 1 June 1994, 87 States had reported for the 1993 period.] The large number of participants during the first year underscores the keen interest the world community has in promoting greater openness and transparency in conventional arms transfers. The first year's result bodes well for continuing operation of the Register. While we are disappointed in the overall quality of the returns, the United States strongly supports continuation of the Register. The United States would, however, like to see many more countries participate than the 83 which did so in 1993. We are thus actively encouraging non-participants to make submissions in the coming years — even if their reports are only nil reports.

Not only does significant participation demonstrate the viability of the Register, but more importantly it establishes openness and transparency in conventional arms transfers as the first truly global confidence-building measure. Although many of the 1993 submissions were nil reports, the large number of participants nevertheless demonstrated that the procedures established for reporting data on transfers to the Register worked fairly well. In this respect, the regional conferences sponsored by the United Nations proved useful both for the instructions they provided and for the opportunity they offered for exchanges of views among national representatives on a wide range of issues relevant to the submissions and to national import/export policies. The United States believes that the 1994 Group of Governmental Experts should take an in-depth look at lessons learned in the first year of operation of the Register.

Since one of the key United States objectives in this transparency measure is to encourage countries to develop national procedures for reviewing the potential impact conventional arms transfers may have on regional and international stability, the United States was pleased that some submissions included, in addition to data on conventional arms transfers, information on national arms import and export policies, legislation, and administrative procedures. The United States would like to see more States contribute such information, including those States submitting only nil reports regarding arms transfers. It is our hope that this compendium on national policies may prove a useful adjunct to the data on transfers. In this respect, the United Nations will be able to make such information available to Member States in some consolidated fashion. The United States considers this valuable reservoir of information an important aspect of the Register.

Regarding specific operational procedures for the Register, as the United States foreshadowed in its submission, there were some inconsistencies in the number of transfers reported by some importing and exporting States due to differences in transfer dates and in the manner in which transfers are defined by different States. As was indicated in the cover letter from Ambassador Albright which forwarded our 1993 submission, the United States considers a conventional arms transfer to have occurred at the time equipment titles are transferred. While it may be ambitious to expect to achieve a universal definition of transfers, it is the United States view that the 1994 Group of Governmental Experts should work toward this goal. At a minimum, each country should be required to make explicit the definition it employs with its submission.

Regarding the deadline for submissions to the United Nations, the United States notes that while the announced deadline is 30 April of each year, during the first year of operation the Register actually remained open until late October, causing the final United Nations report to be delayed until November. Recognizing that first year delays are to be expected, we would nevertheless encourage adherence to the deadline in the future. We also encourage publication of the Register as soon as possible (May/June) to ensure timely distribution of the data and information.

Further development of the Register

As a result of the first year's experience, the United States is of the view that while the seven categories used for reporting equipment on conventional arms transfers are not ideal for every situation, they represent the best fit for global reporting of conventional arms imports and exports. As a result, the United States strongly supports retaining these seven categories. In this respect, the United States believes that the 1994 Group of Governmental Experts should again examine the existing seven categories and definitions to determine if further adjustments to them are necessary. The United States is also of the view that it could prove useful and productive if the Group of Governmental Experts would also take a closer look at other more complicated issues such as how leased equipment and co-production are to be treated in the context of the Register.

As demonstrated through the United States proposal in the Geneva Conference on Disarmament in the spring of 1993, the United States recommends that United Nations Member States provide available background information on military holdings and procurement through national production as a means of increasing transparency and openness related to conventional arms. The United States remains committed to increasing transparency so that a full and balanced picture of conventional armaments is developed.

On the issues of weapons of mass destruction and the transfer of high technology with military applications, the United States believes that these issues are not yet ripe for addition to the Register, as they were only cursorily touched on in recent Conference on Disarmament discussions. It is the United States view that much more study and discussion will be required before a proper framework for understanding the necessity and means of promoting transparency in these areas can be found. The United States remains prepared to participate in such discussions.

CSCE Principles Governing Conventional Arms Transfers

The Conference on Security and Cooperation in Europe (CSCE) took several decisions relating to arms transfers at the Prague Council Meeting in January 1992 and the Helsinki Follow-up Meeting from March to July of that year. Those decisions led to the adoption, inter alia, by the Forum for Security Cooperation on 25 November 1993 of a set of principles governing transfers of conventional weapons. Those regulations go beyond a "transparency in armaments" regime to agreement among the participating States on how participating nations should conduct arms transfers.

As has been mentioned in several of the articles in this issue, participating States of the CSCE have been exchanging military information under the terms of the 1990 CFE Treaty and the confidence- and security-building (CSBM) regime established by the Vienna Document of 1990. (Indeed, efforts are currently under way to harmonize the reporting systems under the CFE Treaty and the CSBM regimes.)

At this stage, there are restrictions imposed upon public access to the actual information, as not all participating States agree on what military information should be made available. Thus access to the information is restricted to participating Governments. The CSCE Conflict Prevention Centre (CPC) in Vienna is responsible, among other things, for the gathering and compilation of the information exchanged.

Reproduced on the following pages are the "CSCE Principles Governing Conventional Arms Transfers" as presented to DISARMAMENT by the CPC.

CSCE Principles Governing Conventional Arms Transfers

Vienna, 25 November 1993

1. The participating States reaffirm their commitment to act, in the security field, in accordance with the Charter of the United Nations and the Helsinki Final Act, the Charter of Paris and other relevant CSCE documents.

2. They recall that in Prague on 30 January 1992 they agreed that effective national control of weapons and equipment transfer is acquiring the greatest importance, and decided to include the question of the establishment of a responsible approach to arms transfers as a matter of priority in the work programme of the post-Helsinki arms control process. They also recall their declaration in the Helsinki Document of 10 July 1992 that they would intensify their cooperation in the field of effective export controls applicable, *inter alia,* to conventional weapons.

I.

3. The participating States reaffirm:

(*a*) Their undertaking, in accordance with the Charter of the United Nations, to promote the establishment of international peace and security with the least diversion for armaments of human and economic resources and their view that the reduction of world military expenditures could have a significant positive impact for the social and economic development of all peoples;

(*b*) The need to ensure that arms transferred are not used in violation of the purposes and principles of the Charter of the United Nations;

(*c*) Their adherence to the principles of transparency and restraint in the transfer of conventional weapons and related technology, and their willingness to promote them in the security dialogue of the Forum for Security Cooperation;

(*d*) Their strong belief that excessive and destabilizing arms build-ups pose a threat to national regional and international peace and security;

(*e*) The need for effective national mechanisms for controlling the transfer of conventional arms and related technology and for transfers to take place within those mechanisms;

(*f*) Their support for and commitment to provide data and information as required by the United Nations resolution establishing the Register of Conventional Arms in order to ensure its effective implementation.

II.

4. In order to further their aim of a new cooperative and common approach to security, each participating State will promote and, by means of an effective national control mechanism, exercise due restraint in the transfer of conventional arms and related technology. To give this effect:

(*a*) Each participating State will, in considering proposed transfers, take into account:

(i) The respect for human rights and fundamental freedoms in the recipient country;

(ii) The internal and regional situation in and around the recipient country, in the light of existing tensions or armed conflicts;

(iii) The record of compliance of the recipient country with regard to international commitments, in particular on the non-use of force, and in the field of non-proliferation, or in other areas of arms control and disarmament;

(iv) The nature and cost of the arms to be transferred in relation to the circumstances of the recipient country, including its legitimate security and defence needs and the objective of the least diversion for armaments of human and economic resources;

(v) The requirements of the recipient country to enable it to exercise its right to individual or collective self-defence in accordance with Article 51 of the Charter of the United Nations;

(vi) Whether the transfers would contribute to an appropriate and proportionate response by the recipient country to the military and security threats confronting it;

(vii) The legitimate domestic security needs of the recipient country;

(viii) The requirements of the recipient country to enable it to participate in peacekeeping or other measures in accordance with decisions of the United Nations or the Conference on Security and Co-operation in Europe.

(*b*) Each participating State will avoid transfers which would be likely to:

(i) Be used for the violation or suppression of human rights and fundamental freedoms;

(ii) Threaten the national security of other States and of territories whose external relations are the internationally acknowledged responsibility of another State;

(iii) Contravene its international commitments, in particular in relation to sanctions adopted by the Security Council of the United Nations, or to decisions taken by the CSCE Council, or agreements on non-proliferation or other arms control and disarmament agreements;

(iv) Prolong or aggravate an existing armed conflict, taking into account the legitimate requirement for self-defence;

(v) Endanger peace, introduce destabilizing military capabilities into a region, or otherwise contribute to regional instability;

(vi) Be diverted within the recipient country or re-exported for purposes contrary to the aims of this document;

(vii) Be used for the purpose of repression;

(viii) Support or encourage terrorism;

(ix) Be used other than for the legitimate defence and security needs of the recipient country.

III.

Further. each participating State will:

(*a*) Reflect, as necessary, the principles in Section II in its national policy documents governing the transfer of conventional arms and related technology;

(*b*) Consider mutual assistance in the establishment of effective national mechanisms for controlling the transfer of conventional arms and related technology;

(*c*) Exchange information, in the context of security cooperation within the Forum for Security Cooperation, about national legislation and practices in the field of transfers of conventional arms and related technology and on mechanisms to control these transfers.

Books Received

The following short summaries cover books received by the Centre for Disarmament Affairs which are of particular interest in the field of arms reduction and disarmament. Books received relating to broader topics of international peace and security are listed after the summaries.

Arms Watch: SIPRI Report on the First Year of the UN Register of Conventional Arms. Edward J. Laurance, Siemon T. Wezeman and Herbert Wulf. New York, Oxford University Press, Stockholm International Peace Research Institute, 1993. 143 p. (SIPRI Research Report No. 6)

A brief description of the rationale for publication is given in a short chapter devoted to that topic. Among other things, it states that the edition chronicles and evaluates the first year of the United Nations Register of Conventional Arms; compares the data reported to the Register with arms trade data published by SIPRI (Arms Production and Arms Transfers Project); and examines the implications of shaping the Register into an effective tool for minimizing the negative consequences of that trade.

The Causes and Prevention of War (Second Edition). Seyom Brown. New York, St. Martin's Press, 1994. 260 p.

The author applies the analytical tools of the social and behavioural sciences to the study of international violence. In analysing the causes of war, he seeks to explain the violent behaviour of individuals, the forms of collective violence, the culture of war, and the role of diplomacy. In the section on prevention and control of war, he surveys arms control efforts to reduce the role of war in the international system.

Cold War Analytical Structures and the Post-War World: A Critique of Deterrence Theory.

Cori Elizabeth Dauber. Westport, Connecticut, Praeger Publishers, 1993. 207 p.

The book examines deterrence theory at a structural level, evaluating the continued impact of deterrence theory in a post-cold war context. It argues that this discourse remains relevant in predicting the restrictions that deterrence places on the United States' relations with other States.

Control of Dual-Threat Agents: The Vaccines for Peace Programme. Erhard Geissler and John P. Woodall, eds. New York. Oxford University Press. Stockholm International Peace Research Institute 1994. (SIPRI Chemical and Biological Warfare Studies No. 15)

A proposal to establish an international programme for the development and use of vaccines against dual-threat bacteriological (biological) agents was received favourably at the third review conference of the States party to the Biological Weapons Convention in 1991. A year later the "Vaccines for Peace" programme was examined and modified at a conference in Biesenthal, Germany, and came to be known as the "Biesenthal Vaccine Initiative" (BVI). This edition contains revised versions of the papers presented at that conférence by twenty-one specialists in biological defence, health protection, conversion, prevention of proliferation, international law, international peaceful cooperation and vaccine research, development and use.

Defense Positioning and Geometry: Rules for a World with Low Force Levels. Raj Gupta.Washington, D.C., The Brookings Institution, 1993. 294 p.

The author develops a general theory of positioning conventional forces, which can be applied to the formulation of military strategy to allow nations to reduce their force levels and still retain a meaningful defence. Applying that theory to such cases as the Iraqi invasion of Kuwait and the civil wars in Yugoslavia and several republics of the Commonwealth of Independent States, the author demonstrates that the knowledge of the ideal force geometry at low force levels makes it possible to establish optimal structures for the arms control agreements needed for peace enforcement.

Developing the UN Register of Conventional Arms. Malcolm Chalmers, Owen Greene, Edward J. Laurance and Herbert Wulf (eds.). West Yorkshire, United Kingdom. Bradford Arms Register Studies, Department of Peace Studies, University of Bradford, 1994. 340 p.

From 6-9 April 1994, the Monterey Institute of International Studies' Program for Nonproliferation Studies organized an international Workshop on the Register in Monterey, California. Participants included most of the members of the Secretary-General's 1994 Group of Governmental Experts preparing a report on the Register for the 49th session of the General Assembly, as well as academics and government officials dealing with the arms trade. The book has been developed from papers presented at the Workshop. Its aim is to examine how the Register is being implemented and how it can be improved and developed further. The twelve contributing authors give their views on the Register's current and potential impact on international security.

Global Engagement: Cooperation and Security in the 21st Century. Janne E. Nolan, ed. Washington, D.C., The Brookings Institution, 1994. 623 p.

In this edition, a group of scholars and government officials analyses the concept of cooperative security, explaining how it aims to create mechanisms to prevent the proliferation of weapons of mass destruction and regional conflict. The authors also discuss existing international restraints such as NATO, the appropriate use of military action, the role of the United Nations, and regional cooperative security regimes in Europe, the former Soviet Union, the Middle East, and the Asia-Pacific region.

The International Missile Bazaar: The New Suppliers' Network. William C. Potter and Harlan W. Jencks, eds. Boulder, Colorado, Westview Press, 1994. 340 p.

This volume contains 14 contributions evaluating the contemporary network of missile proliferation, and the threat such proliferation poses to peace and security. Eleven national missile programmes are closely examined, with particular attention paid to missile technology transactions and capabilities, trade structures and the norms influencing each country's dealings in missile technology.

The International Practice of Arms Control. Emanuel Adler, ed. Baltimore, Maryland, The Johns Hopkins University Press, 1992. 287 p.

The book examines the future potential of arms control efforts. It considers conventional and nuclear arms control efforts from national and regional perspectives,and provides a speculative look at the state of arms control in the twenty-first century.

Landmines: A Deadly Legacy. New York, The Arms Project of Human Rights Watch and Physicians for Human Rights, 1993. 510 p.

This volume is devoted to the often-overlooked potential of landmines to kill and maim long after active hostilities have ended in regions of conflict. The text examines the history and military use of landmines, focusing on the social and medical consequences of anti-personnel and anti-tank landmines. It also details contemporary trends in the international production and trade in landmines.

Nuclear Non-proliferation: A Primer. Gary T. Gardner. Boulder, Colorado, Lynne Rienner Publishers in association with the Program for Nonproliferation Studies, Monterey Institute of International Studies, 1994. 140 p.

The author presents an overview of the technical and political aspects of non-proliferation, including the fundamentals of nuclear physics and nuclear reactors, the nuclear-fuel cycle, the evolution of the non-proliferation regime, the international safeguards system, the status of nuclear programmes in various regions of the world, and the prospects for the extension of the NPT in 1995.

Nuclear Weapons Databook: Volume V. British, French, and Chinese Nuclear Weapons. Robert S. Norris, Andrew S. Burrows and Richard W. Fieldhouse. Boulder, Colorado, Westview Press, 1994. 437 p.

The Databook catalogues the rationale, evolution and current status of the British, Chinese and French nuclear deterrents. The authors examine the three countries' nuclear weapons programmes and arsenals, and provide details on their nuclear testing, as well as on the nuclear-capable weapons platforms available to them.

The Post–Cold War Order: Diagnoses and Prognoses. Richard Leaver and James L.Richardson, eds. St. Leonards, Australia, Allen & Unwin, 1993. 278 p.

The result of a 1992 Workshop on the Post-Cold War Order in Canberra, Australia, this book is a collection of papers investigating new key issues shaping the future of global politics. Incorporating the panorama of the Asia-Pacific region into the discussion, the editors and 17 other contributors examine, among other issues, the consequences of the new world order for international relations theory, the conceptual framework for a new international security system, and the role of nuclear weapons in the new setting.

Regional Approaches to Disarmament: Security and Stability. Jayantha Dhanapala, ed. Aldershot, United Kingdom, Dartmouth Publishing Co. for the United Nations Institute for Disarmament Research (UNIDIR), 1993. 282 p.

The volume evaluates regional disarmament efforts, focusing on the regions of Latin America, the Pacific and Southeast Asia, the Middle East, the Maghreb and Africa and discusses a wide variety of disarmament themes relevant to the regions in each chapter.

Strengthening Nuclear Non-Proliferation. Kathleen C. Bailey. Boulder, Colorado, Westview Press, 1993. 127 p.

The continued threat posed by nuclear proliferation and the potential for strengthening the non-proliferation regime are examined in this edition. National policies and international political commitments intended to curb nuclear proliferation are evaluated. In addition, the author explores the continued ability of proliferating States to acquire nuclear know-how, despite all efforts to the contrary.

Submarine Detection from Space: A Study of Russian Capabilities. Hung P. Nguyen. Annapolis, Maryland, Naval Institute Press, 1993. 79 p.

The author evaluates Russian capabilities to locate and track submarines from satellites in space, examines potential detection methods as well as strategic applications of such a technology. Utilizing Soviet/Russian military and scientific sources, he argues that this technology remains relevant in the Russian perspective of the post-cold war strategic environment.

Technologies Underlying Weapons of Mass Destruction. United States Congress, Office of Technology Assessment. Washington, D.C., United States Government Printing Office, 1993. 263 p.

This background paper examines the various technical options open to States wanting to acquire nuclear, chemical and biological weapons. The text also identifies evidence that might indicate the production of weapons of mass destruction, and the technical hurdles which might provide opportunities to control their spread.

Towards a Nuclear–Weapon–Free World. Carin Atterling Wedar, Sven Hellman and Karin Söder, eds. Stockholm, Sweden, Swedish Initiative for the Prevention of Nuclear Proliferation Risks and New Nuclear Threats, 1993. 288 p.

This is the third report in a series published by the Swedish Initiative, focusing on the threat posed by nuclear weapons in the Middle East, the Commonwealth of Independent States and the Baltic States, as well as in India, Pakistan, China, the Democratic People's Republic of Korea and the Republic of Korea, and Japan. The text examines immediate nuclear proliferation risks, the potential for establishing nuclear-weapon-free zones, and future nuclear threats.

Verification under the Chemical Weapons Convention: On-Site Inspection in Chemical Industry Facilities. Ralf Trapp. New York, Oxford University Press, Stockholm International Peace Research Institute. 1993. 114 p. (SIPRI Chemical & Biological Warfare Studies No. 14)

This study evaluates the implications of future inspections of chemical industries under the auspices of the Organization for the Prohibition of Chemical Weapons. It provides an in-depth examination of inspection procedures, emphasizing the role of routine and challenge inspections of the chemical industry in the Convention.

An Atlas of World Political Flashpoints: A Sourcebook of Geopolitical Crisis. New York, Evan Anderson. Facts on File, 1993. 243 p.

Asian Flashpoint: Security and the Korean Peninsula. Andrew Mack, ed. St. Leonards, Australia, Allen & Unwin, 1993. 175 p.

Dictionary of Military Abbreviations. Norman Polmar, Mark Warren and Eric Wertheim. Annapolis, Maryland, Naval Institute Press, 1994. 307 p.

Naval Power in the Pacific: Toward the Year 2000. Hugh Smith and Anthony Bergin, eds. Boulder, Colorado, Lynne Rienner Publishers, 1993. 186 p.

Riding the Tiger: The Middle East Challenge After the Cold War. Phebe Marr and William Lewis, eds. Boulder, Colorado, Westview Press, 1993. 253 p.

Russian Security After the Cold War: Seven Views from Moscow. Teresa Pelton Johnson and Steven E. Miller, eds. Riverside, New Jersey, Brassey's (US), in conjunction with the Center for Science and International Affairs, Harvard University, 1994. 208 p. (CSIS Studies in International Security No.3)

Security, Arms Control, and Conflict Reduction in East Asia and the Pacific: A Bibliography, 1980–1991. Compiled by Andrew McClean. Westport, Connecticut, Greenwood Press, 1993. 551 p.

Security Without War: A Post–Cold War Foreign Policy. Michael H. Shuman and Hal Harvey. Boulder, Colorado, Westview Press, 1993. 318 p.

Theory of Moves. Steven J. Brams. New York, Cambridge University Press, 1994. 248 p.

The United Nations in the 1990s (Second Edition). Peter R. Baehr and Leon Gordenker.New York, St. Martin's Press, 1994. 197 p.

Central and Eastern Europe: The Challenge of Transition. Regina Cowen Karp, ed. New York, Oxford Univeristy Press, Stockholm International Peace Research Institute, 1993. 322 p.

Changes in the Northern Hemisphere in the 1990s. Jyrki Käkönen, ed. Tampere, Finland, Tampere Peace Research Institute, 1993. 164 p. (Research Report No. 52)

The False Alternative: Europe's Security Dilemma. David Gates. London, Institute for European Defence and Strategic Studies, 1993. 47 p. (Occasional Paper 60)

Recent and Forthcoming United Nations Publications on Disarmament

From the Centre for Disarmament Affairs

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Study on the application of confidence-building measures in outer space. This report of the group of governmental experts appointed by the Secretary-General (see resolution 45/55 B and A/48/305) examines the application of different confidence-building measures in outer space, including different technologies available, and possibilities for defining appropriate mechanisms of international cooperation in specific areas of interest. (Forthcoming in July 1994)

Topical Papers

Number 18: *Cooperation in the Maintenance of Peace and Security, and Disarmament* Proceedings of a conference held at the United Nations Regional Centre for Peace and Disarmament in Asia and the Pacific in Kathmandu, Nepal, 31 January-2 February 1994.
(Sales No. E.94.IX.7)

Number 19: Proceedings of a *Symposium on Security, Disarmament and Confidence-building in the CIS Context* sponsored by the Centre for Disarmament in Kiev, 27-30 September 1993. (Forthcoming)

Number 20: Proceedings of the *Second United Nations Conference on Disarmament Issues*, Hiroshima, Japan, 24-27 May 1994. (Forthcoming)

**Also available in Arabic, Chinese, French, Russian and Spanish.

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January/February 1994 — Volume 12, Number 1.

March/April 1994 — Volume 12, Number 2.

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Research Reports

Civil Space Systems: Implications for International Security, by Stephen Doyle, 1994, 271 p., published for UNIDIR by Dartmouth (Aldershot).

Conference of Research Institutes in the Middle East, Proceedings of the Cairo Conference, 18-19 April 1993, by Chantal de Jonge Oudraat (ed.), 1994, 132 p., United Nations publication, Sales No. GV.E.94.0.13.

Russian Approaches to Peacekeeping Operations, by A. Raevsky and I.N. Vorob'ev, 1994, 196 p., United Nations publication. (Forthcoming)

*Disarmament and Arms Limitation Obligations: Problems of Compliance and Enforcement**, by Serge Sur (ed.), 1994, 296 p, published for UNIDIR by Dartmouth (Aldershot). (Forthcoming)

*Existe également en français: *Obligations en matière de désarmement: problèmes de respect et mesures d'imposition*, sous la direction de Serge Sur, 1994, publication des Nations Unies (à paraître)

Research Papers

No. 26 — *National Security and Defence Policy of the Lithuanian State*, Gintaras Tamulaitis, 1994, 66 p., United Nations publication, Sales No. GV.E.94.0.11.

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Acronyms

ABACC	Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials
ASEAN	Association of South-East Asian Nations
AWACS	Airborne Warning and Control System
BWC	biological weapons Convention
CBMs	confidence-building measures
CD	Conference on Disarmament
CFE	Treaty on Conventional Armed Forces in Europe
CSBMs	confidence- and security-building measures
CSCE	Conference on Security and Cooperation in Europe
CTBT	comprehensive test-ban treaty
CWC	chemical weapons Convention
DPRK	Democratic People's Republic of Korea
EC	European Community
EU	European Union
EURATOM	European Atomic Energy Community
IADB	Inter-American Defense Board
INF	bilateral (United States–Russian) Treaty on the Elimination of Their Intermediate-Range and Shorter-Range Missiles
MERCOSUR	Common Market of the South (acronym in Spanish)
MTCR	Missile Technology Control Regime
NATO	North Atlantic Treaty Organization
NGO	non-governmental organization
NPT	nuclear non-proliferation Treaty
NSG	Nuclear Suppliers Group
NWFZ	nuclear-weapon-free zone
OAS	Organization of American States
OAU	Organization of African Unity

OPANAL	Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
PTBT	partial test-ban Treaty
SSOD-I	first special session of the General Assembly devoted to disarmament
START	strategic arms reduction Treaty
TIA	Transparency in armaments

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